

INTEREST GROUPS AND INSTITUTIONAL CHANGE:
HEALTH POLICY AND THE HOUSE REFORMS OF THE 104th CONGRESS

A Dissertation

Presented to the Faculty of the Graduate School
of Cornell University

in Partial Fulfillment of the Requirements for the Degree of
Doctor of Philosophy

by

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January 2008

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INTEREST GROUPS AND INSTITUTIONAL CHANGE:
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Cornell University 2008

This dissertation examines the effects of institutional change in Congress on interest group activity. The research looks specifically at groups with a stake in health insurance policy during the 1990s. Interviews were conducted with lobbyists for 34 organizations. Respondents were asked about their work on three issues: the Clinton administration's effort to reform health care, the Health Insurance Portability and Accountability Act of 1996, and the debate over a Patients' Bill of Rights in the latter part of that decade. Analysis of campaign finance contributions from 1990-1998 supplements the interview data. A comparison of group activity across these issues illuminates group behavior in light of the reforms introduced to the House of Representatives by the new Republican majority in the 104th Congress.

The main argument presented in the dissertation is that groups in the health community responded to these reforms by changing the ways they lobbied Congress and otherwise sought to influence legislation. Organizations were not, however, uniformly affected by the changes; a number of intervening variables mitigated their effects. These variables include a group's partisanship, its available resources, and the nature of each issue.

The analysis suggests the changes in House institutions mattered to the interest group community for two reasons. First, these changes were driven by partisan concerns. Second, the reforms had important consequences for the long-term relationships that interest groups develop with members of Congress. These results highlight the importance of group access to key members of Congress. The need for

access drives the pragmatic behavior of interest groups, allowing them to adjust to the changing political and institutional environments in which they work. Groups will place more or less emphasis on certain strategies in order to increase their access. If institutional changes affect the capacity of certain interest groups to generate or maintain this access – or if they affect the nature of existing relationships – they can have important consequences for how interest groups pursue their policy goals.

BIOGRAPHICAL SKETCH

Shelley Hirsekorn was born in 1980 in Rocky Mount, Virginia to Bob and Kathy Conroy. Shortly after she was joined by a younger sister, Dana, her family moved to Concord, North Carolina, where Shelley lived from age 4 until 14. After her first year of high school, the Conroys moved to the Gulf Coast of Florida, where, in the warm climate, Shelley developed her athletic passions for tennis and swimming. She graduated from Charlotte High School in Punta Gorda, Florida in 1998.

The author returned to the Tar Heel State for college, enrolling at Davidson College in Davidson, North Carolina. There, she majored in Political Science and was a member of the Wildcat swim team, specializing in distance freestyle and butterfly. Countless hours in the pool afforded her the opportunity to spend time with another record-setting swimmer, Kurt Hirsekorn, who went on to pursue his Ph.D. in Inorganic Chemistry at Cornell University. Upon Shelley's graduation from Davidson in 2002, she joined Kurt in Ithaca, New York as a graduate student in Cornell's Department of Government. When she became a sufficiently good golfer to keep up with Kurt for a golf honeymoon, the two became engaged. They married in August 2005 but are still working on her swing mechanics.

The author currently resides in Midland, Michigan, where Kurt works in the Research & Development labs at The Dow Chemical Company. Upon completion of her Ph.D. in August 2007, Shelley plans to coach swimming and teach part-time while working on what she hopes is her next big project: raising a few swimmers, golfers, and good students of whom she and Kurt can be very proud.

To Mom and Dad,
and to Kurt

ACKNOWLEDGEMENTS

I must first thank the lobbyists who agreed to be interviewed for this dissertation. This project is possible because of their willingness to fit me into their busy schedules. Their insight into the changing nature of lobbying and their reflective attitude toward their own work were essential to my research. I am especially thankful they were willing to share these thoughts with me.

In addition to these men and women, I am grateful to a number of individuals who have offered support during my time as a Cornell student. Theodore Lowi served as the chair of my dissertation committee. His help throughout my graduate career has been invaluable. In my work with him as a student, Teaching Assistant, and Research Assistant, I learned a great deal about what it truly means to be a scholar. I am also grateful to Walter Mebane, another member of my committee, for his comments on my research. He served as a great advisor throughout my time at Cornell; his help with my Course of Study project and coursework and his general guidance on how to navigate graduate school are greatly appreciated. Richard Bensele has also been an important member of my committee. My dissertation topic originated with a paper I wrote for his graduate seminar on the U.S. Congress. I appreciate the time and thought he so willingly devotes to his graduate students and their work.

Tina Slater was a tremendous help throughout my time as a graduate student, especially the past year when I have been living in Michigan and making long-distance arrangements. I appreciate all of the answers she has provided over the years. Jackie Pastore has been a wonderful source of support – both logistical and emotional. She is an enormous help to all of the students with whom she works. Plus, I can count on her to have a treat to satisfy my sweet tooth – for that, I am always grateful.

I have been fortunate to receive substantial financial support for my dissertation research. The Mellon Dissertation Completion fellowship provided by the Department of Government is one of the greatest assets of Cornell's program, and I appreciate this guaranteed support. I must also thank the American Association of University Women Educational Foundation for their contribution in the form of an American Dissertation Fellowship. The Dirksen Congressional Center also provided a grant to conduct my research. These two external funding sources enabled me to travel to Washington, D.C. to conduct the interviews on which this project is based.

Finally, I owe a number of personal thanks. Sophia Wallace has been a great friend. I appreciate her willingness to comment on my project and for her phone calls to catch up and take a break from school work. She and her husband Geoff were always happy to get together during my various visits to D.C., and I was grateful for their company. I must also thank my sister Dana Conroy and her roommate Alexis Bylander for their hospitality during my trips to Washington. I appreciate their willingness to let me move in with them for a few weeks during the Fall of 2006 – we had fun. My purring co-author Briscoe has been with me throughout the writing process. She has been great company.

In the eight years I have known them, Fred and Pat Hirsekorn have cheered me on with great enthusiasm in everything I have done. I am extremely lucky to have the support of a whole new set of parents, especially ones as much fun as the Hs. My own parents, Bob and Kathy Conroy, have provided me with more love and encouragement than I thought possible. This dissertation is dedicated in part to them. My mother has shown me the benefits of patience and the desire to improve one's skills – athletic, academic, or otherwise. My father too has set a wonderful example of hard work and attention to detail. Throughout my early education, his daily instruction to "listen and

learn” taught me to be a good student. I hope I can continue to follow this advice, even after my formal education is complete.

Finally, I am grateful to my husband Kurt, to whom this dissertation is also dedicated. He provides a daily example of sharp focus and self-discipline mixed with humor and wit. I have appreciated his support throughout graduate school, and I am lucky to have him as my husband.

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LIST OF ABBREVIATIONS

AAHP	American Association of Health Plans
AARP	American Association of Retired Persons
AFL-CIO	American Federation of Labor – Congress of Industrial Organizations
AHIP	America’s Health Insurance Plans
BCRA	Bipartisan Campaign Reform Act
CRS	Congressional Research Service
ERISA	Employee Retirement Income Security Act
FEC	Federal Election Commission
FECA	Federal Elections Campaign Act
GOP	Grand Old Party (Republican Party)
HSA	Health Security Act
HIAA	Health Insurance Association of America
HIPAA	Health Insurance Portability and Accountability Act
HMO	Health Maintenance Organization
MSAs	Medical Savings Accounts
NFIB	National Federation of Independent Business
PAC	Political Action Committee
PPO	Preferred-provider Organization

CHAPTER ONE

INTRODUCTION AND OVERVIEW OF ARGUMENT

The 1994 midterm elections had significant consequences for the United States House of Representatives. Not only did the Republican Party gain control of the chamber for the first time in decades, the leaders of this party also implemented a series of reforms that altered the balance of power in the House and changed the way the chamber conducted its legislative business.

In particular, the new Republican Party leadership strengthened its control over the legislative process, the policy agenda, and its own rank-and-file members. In doing so, it weakened the committee system and took away a good deal of its autonomy to pursue policy beyond the goals of the majority party. That this occurrence had importance implications for the House is undisputed. What has been largely unexplored, however, is the degree to which these internal changes to the chamber affected external political actors, specifically the interest group community.

Scholarly assessments of the interest group literature have pointed out that research into group lobbying and other activities has largely ignored the context in which strategic decisions are made. This dissertation sheds light on one aspect of the political context in which interest groups work: the internal institutional arrangement of Congress. In its most basic sense, an institution is defined as “a significant practice, relationship, or organization in a society or a culture” (Merriam-Webster’s Deluxe Dictionary, 10th Collegiate Edition, 956).

Clearly, the U.S. House of Representatives qualifies as an important institution – or organization – within the United States. But within the chamber, a number of practices and procedures, rules, and systems of organization themselves qualify as institutions. The role of party leadership, the committee system, and House procedure are all House “institutions.” Each of these institutions has undergone substantial

change throughout congressional history. This project focuses on specific rule changes, but also on a larger consequence of such reforms: the relative balance of power between the committee system and party leadership. Interest groups hope to make the best use of their limited resources and thereby should target policy makers in the best position to work on their behalf. The balance of power in Congress, which was strongly affected by the Republican reforms in the 104th Congress, affects how useful certain legislators can be to an interest group. Therefore, it is one contextual variable a group should consider when making strategy decisions.

In order to assess how interest groups respond to changing institutional arrangements in the House of Representatives, this study examines the years surrounding the Republican takeover of the chamber. The project focuses on the health policy interest group community. Organizations with an interest in health care represent a wide range of interest group types. Also, health issues were an important part of the congressional agenda throughout the 1990s. Combined, these two points make health policy an appropriate topic of study. Interviews with lobbyists representing a wide range of organizations serve as the basis for this research. Small businesses, large corporations, labor, health facilities, and professional trade associations are among the groups included here.

In particular, the lobbyists were asked about their work on three prominent pieces of health legislation, one prior to the reforms of the 104th Congress and two after these changes were implemented. The three issues are as follows: efforts to reform the health care system under the Clinton administration, the passage of the Health Insurance Portability and Accountability Act, and the debate over health maintenance organizations and a Patients' Bill of Rights. Comparisons of group activity on these issues as well as anecdotal evidence from individual lobbyists

provide the opportunity to assess how the Republican reforms impacted the lobbying strategies of the interest group community.

The reforms of the 104th Congress provide a unique opportunity to assess the ways in which the modern lobbying community responded to institutional change in the House of Representatives. Certainly, many historical examples of congressional reform and reorganization exist. Three profound instances of institutional change, in fact, took place in the twentieth century: the Legislative Reorganization Act of 1946, the congressional reforms of the 1970s, and those from the mid-1990s addressed here. Examining group responses to institutional change in the mid-1990s makes good sense because it was at this period of history that the lobbying industry had undergone substantial professionalization. Kerrigan (1993) writes, “As the tools of electioneering are being used in issue lobbying, and the principles of business management are being applied to both, the professionalization of the political process is giving way to a new industry. It’s called advocacy. And it’s redefining what we mean by the word “campaign”.”

After the House reforms in the 1970s, the number of interest groups exploded in size and diversity. The lobbying community itself has expanded from an arrangement of pressure groups to a vast array of private lobbying firms, corporate in-house lobbyists, and well-staffed organizations. Lobbying has become so professionalized, in fact, that how-to courses are offered at a number of colleges, including George Washington University and American University. This recent environment sets the era of the 1990s reforms apart from earlier instances of congressional reform and makes it a particularly useful area of study to assess the contemporary world of lobbying.

Dissertation Argument

The main thesis of this study is as follows: groups in the health policy community did, in fact, respond to the institutional change in the House of Representatives during the 104th Congress by adjusting the ways they lobbied and otherwise sought to influence legislation. Organizations were not, however, uniformly affected by these changes; a number of intervening variables mitigated the impact of the reforms. Each group's partisanship was particularly important in determining how an organization adjusted its strategy. In some cases, the resources available to a group affected its response to the reforms as well. Finally, the nature of each issue under consideration before the legislature also made the House reforms more or less important for the organizations.

Figure 1.1 depicts the various factors through which the effects of the House reforms were filtered. The arrow through the center of the diagram demonstrates that the reforms affected interest group activity. Yet, as noted, three intervening variables served to mitigate these overall effects. The most powerful of these intervening variables – indicated by the bold-faced arrow – is group partisanship. Here, partisanship is defined as the tendency of an interest group to align itself with one or more of the political parties, as based on the interview respondent's own assessment. Groups with similar goals and long-term connections to the new Republican majority leadership responded to the reforms very differently than those groups without.

In some cases, and with less sweeping consequences, two other variables altered the effects of the House reforms on interest group activity. The first of these is the amount of resources available to a group; many groups with limited resources were not impacted in the same manner as those with a larger budget, larger staff, or other organizational advantages. My analysis also found that the impact of changing institutions can vary with the nature of each issue under debate. Groups' strategy

choice depends on the degree to which an issue is technical and laden with policy detail, for example, or how mobilized the public is around a specific concern. In certain cases, the strategy associated with these circumstances can outweigh the impact of any internal arrangement in Congress on lobbying decisions, making the effect of reform less powerful.

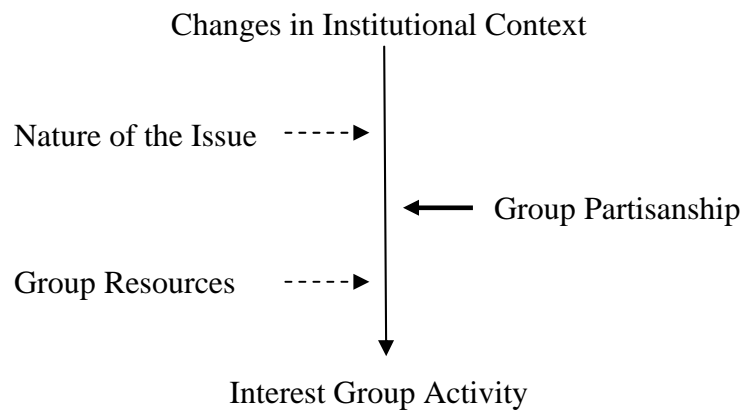


Figure 1.1, Overall Effects of Institutional Change on Interest Groups

Taken together, the changes to House institutions in the mid 1990s served to centralize power and decision-making within the House of Representatives. The specific reforms introduced to achieve this result can be categorized into two groups: first, those reforms that strengthened majority party control – over both the legislative agenda and Republican rank-and-file membership – and, second, those that took away committee autonomy. Each trend is discussed in detail in Chapter Two. The new Republican leadership jointly pursued these two ends with much success, especially in the months immediately following their takeover of Congress. Figure 1.2 provides an overview of how these two trends affected group activity.

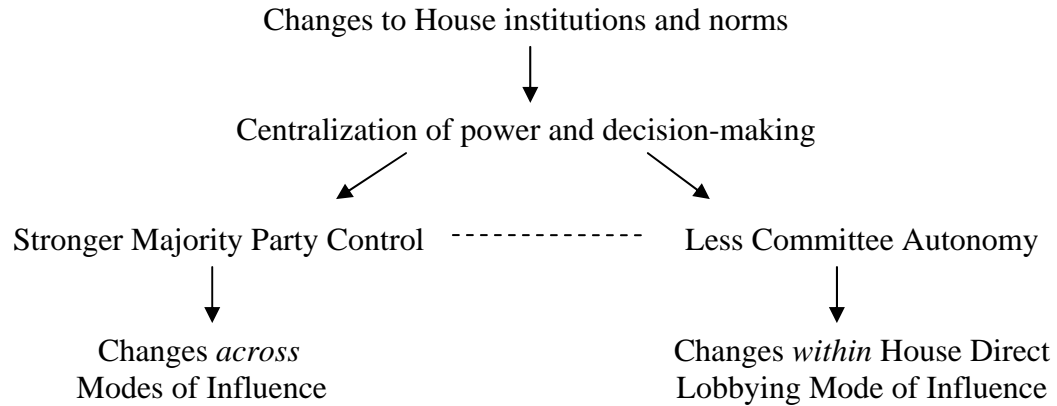


Figure 1.2, Resulting Changes in Interest Group Activity

At the top of the figure is the overall result of the many reforms; as noted just above, the changes to the House centralized power and decision-making within the chamber. The Republican Party leadership simultaneously increased its control over the majority party and weakened the ability of the committees to pursue goals beyond those of party leaders. There is a dotted line between these two components of the reform because they are closely intertwined; many of the means by which the majority party gained more authority also resulted in a committee system that was unable to act without majority leadership approval.

Research into interest group strategy suggests that the main methods by which interest groups influence members of Congress can be divided into three categories.¹ Throughout the text, I will refer to these categories as the Modes of Influence available to interest groups. The three Modes of Influence are as follows: direct lobbying of either the House or Senate; indirect influence; and group involvement in campaign finance and the electoral scene.

¹ For a basic introduction to interest group research, see the following textbook-like overviews: Ainsworth (2002); Cigler & Loomis (1998 and other editions); Herrnson et al (1998); Rozell & Wilcox (1999 and 2005); Wright (1996); and Schlozman and Tierney (1986). See Grossman and Helpman (2001) for a formal treatment of the influence of special interest groups. For a scholarly article intended to review the literature on the topic, see Lowery and Gray (2004); Baumgartner and Leech (1998); Knoke (1986); Mitchell and Munger (1991); or Smith (1995).

Each of the two trends resulted in unique behavioral changes across and within each Mode of Influence. The reforms impacted interest groups primarily because they affected groups' access to legislators in key institutional positions in the House of Representatives. Stronger majority party control made it difficult for certain types of groups to accomplish their goals in the House of Representatives. As a result, they turned to other Modes of Influence. The weakened committee system had important effects for one specific Mode of Influence: the ways in which groups conducted their Direct Lobbying in the House. These topics are addressed in turn in Parts I and II of the dissertation.

The two chapters that comprise Part I of the dissertation examine how interest group use of the various Modes of Influence was affected by strong party control. Of particular interest is a renewed emphasis on Indirect Influences among some groups as well as a strong preference for work with the Senate instead of the House. Campaign finance behavior and group hiring practices are also explored. In Part II, the focus shifts to the weakened committee system and the impact of this change on the direct lobbying Mode of Influence in the House. The relationship between groups, majority party leaders, and committee chairmen is examined. The analysis also explores the ways in which the reforms impacted other aspects of direct lobbying; this includes work with moderate members, the policy education of committee chairmen, and group interaction with task forces.

Through the analysis in Parts I and II, a picture of the interest group community emerges. What becomes apparent is how partisanship – of the groups themselves and the partisan make-up of the House – affects the lobbying environment. In the analysis presented below, a group's partisanship depends on the classification of the lobbyist who represented that group; each respondent was asked about his organization's tendency to align itself with one of the political parties. Based on these

lobbyist responses, the groups were divided into three categories: Democratic-leaning, Republican-leaning, and bipartisan or nonpartisan. Based on the answers provided by the lobbyists, it became clear that a group's view of its own partisanship is largely driven by the group's policy preferences on specific issues and how those preferences align with the conventional wisdom regarding the platforms of the two major parties. For example, business groups desiring fewer government regulations typically align themselves with the Republican Party, while groups that represent labor unions tend to align with the Democrats.

Partisanship is obviously an important organizing factor within Congress and the House of Representatives in particular. It also has important consequences for the legislators in the House with whom an interest group will tend to interact. The research here suggests that the impact of group partisanship is felt most strongly in an organization's work with party leadership; party has far fewer consequences for work at the committee level. Here, the pragmatic concern of access, the substance of policy, and the importance of maintaining good working relationships dominate interest group decision-making.

The picture of the interest group community presented here demonstrates the pragmatism of groups and the lobbyists that work on their behalf. Such pragmatism, especially as it applies to the committee system, is driven by two hallmarks of group behavior: the ever-present need for interest groups to have access to policymakers and a strong desire on the part of interest groups to, as many lobbyists described it, "get things done." As a result, groups adjust their strategies along with changing congressional institutions; they make do with the institutional context they are given.

In general, the analysis in the following chapters suggests that these changes in House institutions mattered to the interest group community for two reasons. First, these changes were driven by partisan concerns. The partisan motivations behind the

reforms placed certain groups at a disadvantage. As a result, the disadvantaged groups pursued different strategies. Second, the House reforms had important consequences for the long-term relationships that lobbyists and interest groups develop with members of Congress. Both of these points are closely connected to an essential strategy of any successful interest group: generating and maintaining access to the key members of Congress as it relates to an organization's legislative interests. If institutional change affects the capacity of certain interest groups to generate or maintain this access – or if change affects the nature of existing relationships – it can have important consequences for certain members of the interest group community.

The analysis presented throughout the dissertation outlines changes in group behavior following the reforms of the 104th Congress. Identifying differences before and after the reforms, however, only tells half of the story. The causal aspect of the argument is not demonstrated by the quantitative data comparisons. This second step lies in identifying the specific reasons behind these changes in group behavior. The reforms were not the only change in Congress during the years in question. In fact, they were a direct result of the switch in party control of the chamber. Thus, we must ask the following question: did groups change their approach to lobbying because of the reforms or simply because a new party was in control?

It is difficult to separate partisan and institutional change in this period of congressional history; partisanship was a motivating factor for the reforms. In fact, I argue that the partisan motivation for the reforms played an important role in how groups reacted to the changes. The partisan nature of the reforms increased the importance of group partisanship in explaining reactions to the changing context. Demonstrating causation is certainly a difficult aspect of social science research. My assessment of group behavior cannot rule out the effects of partisan change in favor of institutional reform. The anecdotal evidence from the interviews, however, supports

my argument that the trends evident in the quantitative data analysis are based on the new institutional environment, not simply the change in party control. Specific quotes and examples from the lobbyists indicate that the reforms were the impetus for the changes in group activity. Certainly, partisan alignment and policy preferences played a role in how groups developed legislative strategy. Yet, the anecdotal evidence presented in the following chapters also suggests that the new institutional order – such as strong majority control, strict party discipline, constraints on committee chairmen, and an increased reliance on task forces – had important consequences for group decision-making as well.

Before presenting the evidence in support of this argument, however, I first review the literature on interest group strategies and the aforementioned Modes of Influence. At the end of the chapter, I discuss the criticisms of the interest group literature and assess how my own research fits into these debates.

Early Scholarship on Interest Groups

Groups and the goals they pursue have been a topic of interest and concern since the country was founded. In Federalist #10, Madison expounded on the problems of factions and the ways in which the new republic would be able to mute their negative effects (Rossiter, 1961). Early political scientists understood the political process in terms of the interaction among groups. These pluralists gave American political science many of its most classic texts.² Their arguments suggested that the American political system is government by coalitions of groups.

Though the pluralist paradigm dominated the study of American politics during the early to mid-twentieth century, a number of criticisms soon emerged. Schattschneider (1960) suggested that the balance of group power described by the

² See, for example, Truman (1951) and Dahl (1961).

pluralists ignored the fact that certain interests have greater access to the political arena than others. Others charged that defining the political system's power players by looking at group influence in key legislative decisions misses the point. True power lies in the ability to set the agenda (Bachrach and Baratz 1962). Lowi (1979) argued that pluralist theory overlooked the fact of imperfect competition among groups. Powerful groups in the private sector could gain extensive control and influence over the workings of executive agencies, making the government less responsive to new, outside demands.

Rational choice arguments illuminated the theoretical aspects of group formation and longevity. Olson (1965) refuted the pluralists' contention that group formation occurs spontaneously. He argued that, given the collectively held benefits of public goods and the incentive to free ride, individuals with common interests are often unlikely to organize themselves.³ The explosion of interest groups in the 1960s and 1970s prompted further scholarly attention. These works described the changing nature of the group system and the new ways in which groups interact with each other and the state.

The aforementioned body of work focuses, in large part, on the overall picture of group representation and influence. This literature asks questions, many of them normative, that include inquiries into which segments of society are represented; how groups form and what influence this process has on representation; the role of the state in the group-government relationship; and the changing nature of the interest group universe. In addition to answering these comprehensive questions, a substantial effort has been devoted to describing the details of lobbying strategy and group behavior.

³ Many prominent studies of interest groups frame their analysis in light of this collective action problem. This subset of the literature often emphasizes the provision of selective benefits (Wilson 1995) and the need for outside actors to provide groups with organizational resources (Moe 1980; Walker 1983, 1991).

That is the topic of the next section and it is into this debate that my dissertation enters.

The Modes of Group Influence: Research on Strategies

As described above, research suggests that groups pursue three types of activities: direct lobbying on Capitol Hill, indirect influence such as grassroots work, and campaigning in support of candidates. What makes each Mode of Influence distinct from the others depends on what exactly an interest group seeks to accomplish. Groups engaging in direct lobbying hope to inform legislators of their position and, in some cases, change a legislators' mind on an issue. The indirect influences mode is used to change the political context in which legislators consider and vote on legislation by swaying public opinion, mobilizing group members, or exerting pressure through other bodies of government. Interest groups that engage in the Indirect Influence mode are hoping to create a political environment in which it is easier for the group's allies in Congress to express this support and more difficult for legislators opposing the group to register that opposition. In the case of the campaign finance and elections Mode of Influence, interest groups seek to change – or in some cases maintain – the makeup of the legislature. Groups have a vested interest in the relative balance of power between parties in Congress, and they also want to have as many supporters holding office as possible. Active participation in the electoral process is one way for groups to reach this goal. What follows is an overview of the scholarly literature on each Mode of Influence.

Direct Lobbying

The first of the three categories, direct lobbying of either the House or Senate, is the most common and widely studied. This Mode of Influence includes meeting

with individual members Congress and their staffs, especially those with positions on relevant committees and subcommittees. Direct lobbying also includes meeting with the separate staffs of committees and subcommittees, meeting with majority or minority party leadership, and testifying before congressional committees. Essentially, this Mode of Influence encompasses the work that lobbyists conduct when they visit Capitol Hill.

These tactics involve direct contact between an interest group and a legislator or his staff and they have been the focus of a large portion of the scholarly research on interest group behavior. Some scholars have examined the stages of the legislative process as varying points of entry for groups seeking to influence legislation. Wright (1996) outlines group activity during bill-writing, committee hearings and markups, floor debate, and conference proceedings. Research often focuses on lobbying in congressional committees (Evans 1996; Hojnacki and Kimball 1999). Groups see this point in the process as an opportunity to shape legislation in its earliest stages, rather than waiting to exert influence once a bill reaches the floor.

One major question in this literature asks which legislators groups tend to target on issues of concern. Very little consensus has been reached, despite its being a focus of research for much of the last four decades. The authors of a 1963 case study of interest group activity on foreign trade suggest that lobbyists largely serve as sources of information for those members of Congress who already agree with their policy position (Bauer, Poole, and Dexter 1963). Hojnacki and Kimball (1998) present evidence that groups lobby their allies in a given legislative committee in the hopes that these allies draw other members into the coalition. Alternatively, Denzau and Munger (1986) develop a theoretical argument that groups will seek out those legislators whose are undecided or indifferent on a particular policy.

A lengthy exchange among scholars began with Austen-Smith and Wright's (1994) contention that groups will lobby legislators who are against their position in an attempt to counteract the lobbying of that group's political opponents.⁴ Kollman (1997) suggested that the friend versus foe distinction is a false one, since most committees share ideological biases with the interest groups by which they are typically lobbied. In their 1998 article, Leech and Baumgartner attempt to reconcile the debate by making a rather obvious point: interest groups alter their lobbying in different situations, allowing for a wide range of tactics to be used.

Regardless of the target of a group's lobbying efforts, scholars are in agreement that an important function of interest groups is to provide information to legislators. As Arnold (1990) and Krehbiel (1991) describe, legislators are uncertain about the effects of policy outcomes. As early as Milbrath's (1963) survey of lobbyists, scholars recognized the unique role that interest groups play in providing legislators with information to decrease their uncertainty. The information can be policy-specific – in which a group outlines the possible economic consequences of a given proposal, for example – or it can be more political in nature. Political information – such as popular support for a bill – is highly valued by legislators seeking reelection. In recent years, researchers have examined how groups can use their information in a strategic way. Ainsworth (1993) highlights the informational advantages groups have over uninformed legislators, and Ainsworth and Sened (1993) demonstrate that an interest group with information can make the interactions between government and society function more efficiently.

Direct lobbying is a major focus of this study. Because this sort of activity deals directly with members of Congress, it is the most likely to be affected by

⁴ This article triggered a dialogue between the authors and Baumgartner and Leech. For all four articles, see Austen-Smith and Wright (1994); Baumgartner and Leech (1996a); Austen-Smith and Wright (1996); and Baumgartner and Leech (1996b).

changes within that institution. The literature asks whether groups lobby their opponents or allies. Groups should also target those members in the best position to provide the results they seek; these include legislators with considerable power within the House. The shifting balance of power between majority party leadership and the committee system, then, presumably had important consequences for interest groups' direct lobbying strategies.

Indirect Influences

Though the direct lobbying Mode of Influence has been the area of greatest research among interest group scholars, "outside" attempts to influence legislation have also been the subject of investigation. These sorts of strategies can be highly effective and are utilized by many groups, increasingly so within the past few decades. This Mode of Influence includes a diverse array of strategies aimed beyond Capitol Hill. Indirect influence typically includes efforts designed to change public opinion in three ways: by generating grassroots support; second, by contacting group members; and finally, advertising in the mass media and local Washington, D.C. outlets. This Mode also encompasses meeting with officials in other branches of the federal government; working with state-level government officials and agencies; and working as part of a coalition with other interest groups.

Historically, the distinction between the two categories of direct lobbying and indirect influences was not always so clearly defined, even in the federal government's definition of such activities. Shortly after its implementation, the Federal Regulation of Lobbying Act of 1946 came under scrutiny for its rather ambiguous language. Of particular concern were the activities that constituted "lobbying" and how the term was legally defined. According to Zeller (1958), a series of cases argued before the Supreme Court helped to better define the activities regulated by the statute. In one

particular case, *United States v. Rumley* (1953), the court held that “The phrase ‘lobbying activities’ in the [1946] resolution is to be construed as lobbying in the commonly accepted sense of ‘representations made directly to the Congress, its members, or its committees’; and not as extending to attempts ‘to saturate the thinking of the community’.”

Such a distinction is consistent with the typology used here. Direct lobbying is treated as distinct from grassroots efforts, or even work with other federal branches of the federal government. Given the structure of the U.S. government, there are many points of entry for a group seeking to influence public policy. The separation of powers provides groups with three branches of government – and various points throughout the policy process – through which they seek to change or maintain the status quo.

A number of scholars have examined how and why certain groups use the judicial system to reach their goals (Caldeira and Wright 1988, 1990; Epstein 1991; Epstein and Rowland 1991; Epstein and Knight 1999). Though not as fully developed a literature, other researchers have examined the extent to which corporate interests exert influence over the bureaucracy in the implementation of policy (Gordon and Hafer 2005, 2007; Spiller 1990).⁵ Holyoke (2003) has examined how groups make the decision to target one branch of government over another. He concludes that the decision is often a strategic one: groups may pick a venue based on the opposition they expect to face from political opponents on a given issue. Many groups also make the decision to lobby beyond the federal government at the state level as well (Epstein 1994, Zeigler and Baer, 1969).

⁵ The literature on public policy subsystems and issue networks from the mid-20th century also examines the relationship between interest groups and the bureaucracy. See, for example, Cater (1964); Heclo (1978); and Berry (1989).

Besides the obvious decision regarding which branch or level of the government to lobby, research also indicates that groups typically select from a wide range of methods beyond that of direct contact with officials in the federal government. Three prominent outside strategies, as these other methods are often called, are grassroots lobbying, advertising, and working in a coalition with other organizations.⁶

Grassroots mobilization has received a significant amount of attention from interest group scholars. By rallying their membership – or the wider public – around an issue, groups are able to accomplish a number of tasks, including getting an issue onto the legislative agenda. Membership associations also call on their members to write letters or call their member of Congress in the hopes of swaying the legislator’s opinion in favor of the group’s preferred position. Perhaps the most prominent and widely-referenced studies of grassroots lobbying are Kollman (1998) and Goldstein (1999). Kollman examines the ability of groups to mobilize public opinion as a resource and argues that interest groups are able to increase the salience of an issue through grassroots mobilization. Goldstein explores how groups are able to encourage individuals to participate in the political arena through grassroots mobilization.

Many large, well-funded interest groups also engage in paid advertising. Some of the most prominent advertising campaigns have been chronicled in case studies, including the Health Insurance Association of America’s highly touted “Harry and Louise” campaign against the Clinton health plan (West et al 1996). Groups can also benefit from publicity when they receive coverage in various media outlets. Danielian and Page (1994) explore the varying degrees to which range of interest groups –

⁶ Another outsider strategy is civil disobedience. Some groups resort to protests and demonstrations as a means of influence. Often, groups that engage in these sorts of activities lack the resources to participate within the more traditional lobbying community. See Chapter 14 in Wilson (1995) for a detailed discussion of this outsider strategy. The literature on social movements also explores these methods in depth.

including corporations and businesses, labor, professional associations, and citizen action groups – receive coverage on the television news.

Finally, some groups elect to join a coalition of other groups with similar goals or interests on a matter of public policy. This topic has received an increasing amount of attention in recent years. Two frequently cited studies are Hula (1999) and Hojnacki (1997). Both of these studies explore a group's decision to join a coalition or go it alone. More recently, Heaney (2004) analyzed individual interest groups as a part of a broader social network of groups. His study focused on how membership in a coalition can influence a group's strategy and overall effectiveness.

At first glance, the indirect influence Mode of Influence is not directly linked to institutional change in Congress. Since reforms like those in the 104th Congress only alter rules and norms within the House, presumably, groups' external activities remain unaffected. In Part I, however, I demonstrate that the institutional reforms in the House limited the effectiveness of certain groups in that chamber; they turned, instead, to external methods. The literature on indirect influences, with few exceptions, does not comprehensively explore why certain groups choose to pursue these strategies over others. My research indicates that the institutional environment of the House plays a part in this decision. As such, indirect influences, too, can be affected by internal congressional reform.

Campaign Finance & Elections

Another major topic of the scholarly literature revolves around the campaign contributions groups make to support legislators' efforts to win office.⁷ Strategies within this Mode of Influence include making monetary contributions to individual

⁷ See, for example, Biersack et al (1994); Rozell and Wilcox (1999 and 2005); and Morton and Cameron (1992).

members' reelection campaigns or making contributions to leadership PACs. The current system of regulating campaign contributions originated with the 1971 Federal Elections Campaign Act (FECA), which was amended by the Bipartisan Campaign Reform Act (BCRA) in 2002. This system allows corporations, unions, and interest groups to create political action committees (PACs) designed to raise money and subsequently distribute this money to candidates for federal office, subject to legally imposed limits.

The research on this particular Mode of Influence tends to follow two distinct trajectories. First, like the direct lobbying literature, scholarly inquiry has revolved around which legislators a group will target with donations. Many articles on this topic test for contribution strategies based on legislative characteristics like committee membership, seniority, majority party status, and party leadership. The assumption is that these traits affect a given legislator's ability to provide the services sought by the interest group; they determine a legislator's "quality" (Mebane et al, 2001). A series of articles published by Munger et al pursues this topic.⁸ These authors develop a formal model of campaign contributions and conclude that the productivity of a legislator – the ability of a legislator to pursue a group's desired outcomes – plays an important part in the decision process. They focus their bulk of their analysis on committee membership, but also note that seniority and majority party status play a role as well.

The second research trajectory concerns the actual influence of campaign contributions; research in this area asks "What do campaign contributions actually buy?" Many studies have focused on the extent to which PAC contributions influence congressional voting behavior. Little consensus, however, has been reached on this

⁸ See Denzau and Munger (1986), Grier and Munger, 1986, 1991; Munger, 1989; Endersby and Munger, 1992; and Grier et al (1994).

topic. According to Baumgartner and Leech, “Virtually every review of this literature spends time discussing how it is that some researchers have found PACs to be influential, while other researchers have found the opposite...” (Baumgartner and Leech, 1998: 134).

Some scholars argue that money is influential in floor voting (Wright, 1985; Grenzke, 1989), while others disagree (Peltzman, 1984; Saltzman, 1987; Stratmann, 1991). Various studies have also explored the conditions under which contributions might have more or less influence on roll call votes.⁹ Many scholars suggest instead that money buys access to a legislator (Sabato, 1985; Langbein, 1986; Sorauf, 1992). Finally, other research focuses on the extent to which donations can increase the attention and effort a legislator devotes to an issue (Hall and Wayman, 1990).

Institutional change presumably has important implications for the campaign finance behavior of the interest group community. As with direct lobbying, the changing balance of power within the House should correspond with changing patterns of group donations. Groups wanting to get the most for their money should target those individuals with substantial power in the chamber – and with jurisdiction over issues of importance to these organizations; a change in this power should result in a change in contribution levels. Campaign finance is a key concern of the House and its members – and therefore to interest groups. Institutional change in that chamber should also impact group behavior within this Mode of Influence.

Criticisms of the Interest Group Literature

While the current literature provides a comprehensive picture of interest group activity in and out of Washington, D.C., it has come under criticism by some scholars. The above discussion highlights a few problems. First, there is little consensus about

⁹ See Smith (1995) for a comprehensive review.

how groups go about lobbying or making campaign contributions. While some argue that they focus on allies, others suggest that they target legislators who disagree with them. Likewise, scholars have failed to demonstrate the effectiveness of interest group activities. In some cases, groups were able to sway public opinion, exert substantial influence over Congress, or otherwise achieve their goals to pass or block legislation. In other examples, groups have been ineffective. The campaign finance research has also failed to make a convincing case that donations do or do not influence legislative voting. In their comprehensive literature review and assessment, Baumgartner and Leech (1998) express their concern:

Lobbying and related activities have been studied by dozens of scholars during the past thirty years, and yet we can draw few firm conclusions about interest-group behavior. How is it that with so much research we still know so little about interest-group influence and the strategies they use to affect public policy? Why are these studies so contradictory? (Baumgartner and Leech 1998: 120).

They point out that a good portion of the research on interest groups has been conducted using case studies, and they suggest that the use of case studies hinders researcher's ability to make broader generalizations about group activity. Additionally, the authors argue that the large scale surveys used to collect information about group behavior "ignore important variation in what groups do, and to what effect, in different circumstances" (Baumgartner and Leech 1998: 121). In short, context matters a great deal and context has rarely been systematically accounted for in studies of interest group activity.

The assumption that groups only use one strategy at the expense of another is quite naïve. It is reasonable to expect that groups would cover all their bases in a legislative fight. They would want to ensure they had the full-fledged support of their allies, but also try to convince undecided voters and educate their opponents. In certain policy debates, groups might emphasize one strategy more than another. Since

each legislative battle is unique in its policy and politics, such an approach is only natural. As Baumgartner and Leech (1998) point out, lobbyists are reluctant to make broad generalizations about their work; instead, they emphasize that their choice of tactics varies across issues and situations.

Baumgartner and Leech (1998) argue that interest group research should take into account to political circumstances surrounding interest group activity. They identify two important realities about lobbying behavior: first, that groups select from a number of strategies rather than using only one and, second, that the unique political context surrounding each issue has an impact on this selection process. They also note that case studies of interest group activities and large scale surveys of interest groups often fail to measure contextual variables:

[These studies] often look either at a single case of policymaking or consider no specific cases of policymaking. As a result, many potentially important explanatory variables are held constant within each study. Critical variables are designed into the project as constants or remain unmeasured...All of the survey researchers agree that the external political context is an important determinant of interest-group decision-making, and yet the surveys for the most part do not systematically collect information about that context (Baumgartner and Leech 1998: 166).

An important part of the political context that often remains constant in these studies is the internal arrangement of Congress. Interest groups consider the institutional characteristics of a legislator, among other things, when deciding which members of Congress to target with lobbying and campaign contributions. These characteristics include committee membership, seniority, majority party status, and party leadership roles. A change in the institutional structure of Congress should also result in a change in interest group behavior. For example, as committees become less powerful relative to other collective organizations in Congress, such as parties, groups should alter their strategies to reflect these changes.

This dissertation directly addresses Baumgartner and Leech's above criticism by allowing congressional institutions to vary over the course of the years under study. Since the project examines group activity both before and after the Republican changes to the House of Representatives, congressional organization and congressional institutions do not remain constant. The project also directly asks lobbyists how the political context affects their decisions. During the interviews that serve as the basis for this analysis, each lobbyist was asked how the 1995 changes in House rules and procedure affected their organization's lobbying strategy.

The explicit recognition that groups face a changing legislature in their attempts to influence policy provides a more accurate picture of how groups make their strategic decisions. By examining groups' reactions to House reform, the research identifies the patterns by which groups react to one instance of change in the internal workings of the House. It offers a more nuanced picture of lobbying decisions by paying specific attention to the political context in which groups lobby Congress.

A few scholarly publications on this topic have already been conducted. None, however, have asked the research question as directly as this study. Many textbook-type reviews on interest groups have briefly mentioned the importance of congressional organization on group activity. During the course of their extensive interviews with 175 organized interests, Schlozman and Tierney (1986) asked lobbyists how prior changes in Congress influenced their workload and effectiveness. Their questions focused on the congressional reforms of the 1970s; they asked about the increase in legislators' staff size, the growth in subcommittees, Congress's ability to conduct its own research through organizations like the Congressional Budget Office, and the sunshine laws, among other changes.

The authors found that these changes contributed to an increase in group activity across the board, but that the changes had a varied influence on groups'

effectiveness. In particular, citizen groups found the lobbying process easier. Schlozman and Tierney conclude by noting that “the relationship between the political system and organized interests is reciprocal. Interest organizations are not autonomous units; rather, they reflect the constitutional, legal and electoral systems in which they are embedded” (Schlozman and Tierney, 1986: 390). Along similar lines, Wilcox (1998) notes that the direct lobbying strategies used by groups have changed over time due to a number of factors including “changes in the levels of decentralization in decision making” and changes in party control, both of which are important elements of the 1994 Republican takeover of the House. Ainsworth (2002) also offers a brief discussion of how the institutional context affects day-to-day lobbying activities.

Beyond these brief references, Heitshusen (1995) offers the only comprehensive analysis of the effects of congressional institutions on interest group decision-making. She examines changes in legislative lobbying – measured by congressional testimony – following the decentralization of House decision-making in the 1970s. Her dissertation focuses entirely on environmental and labor groups. Relying solely on congressional testimony to measure interest group activity is not an especially accurate representation of interest group work in Congress. As discussed above, direct lobbying entails a number of more informal activities that arguably have greater consequences than prepared testimony. Also, groups must typically be invited to testify before the House, making it an unreliable indicator of how they choose to allocate their resources and decide strategy.

Heitshusen’s analysis places a great deal of emphasis on the role of lobbyists as information-providers to members of Congress. She argues that the decentralization of the House in the 1970s “expanded the scope of conflict to different committees” which required lobbyists and interest groups “to lobby a wider variety of

legislators” (Heitshusen 2000: 152). The impact of these reforms varied across groups, depending on whether or not they tended to provide members of Congress with technical policy or political information. Heitshusen concludes that “theories of lobbying can attain higher generalizability only if theories account for institutional arrangements and changes in those arrangements” (Heitshusen 2000: 171).

The changes in the 104th House were also significant because they were implemented by the new majority party. Scholars have examined the effect that a change in party control has on interest group activity. Nelson (1998) examines campaign finance data from the 1994 and 1996 elections to determine how PAC contributions to committee chairs changed following the Republican takeover. She concludes that the change in party control – and therefore control of the chairmanships of House committees – had an effect on group contributions: “By becoming committee chairs Republicans received more money from PACs than they did when they were in the minority, even though twelve of the fourteen had been ranking minority members on the committees they now chaired” (Nelson 1998: 60).

Campbell and Davidson (1998) discuss how the 1994 election influenced patterns of coalition building among interest groups. They highlight the new Republican majority’s close relationship with various conservatively-minded interest groups. The authors describe how these groups were actively involved in formulating the Contract with America that brought electoral success to the Republicans, and they chronicle group involvement in the drafting of the legislation that resulted from this plan. After presenting their anecdotal evidence, Campbell and Davidson conclude that “the new majority changed congressional rules, structures, and operating modes in ways that had the effect (often intended, sometimes unintended) of promoting certain interests and disadvantaging others” (Campbell and Davidson 1998: 136-137). My findings, especially those outlined in Chapter Four, support these conclusions.

Journalists have also highlighted the consequences of these changes in various articles chronicling the turnover in the House. The majority of these articles focus on partisanship, not institutions. Berke (1995b), for example, concentrates on the Republican Party's direct solicitations for PAC contributions and its strategy to direct this pressure towards lobbyists so as to increase campaign funds. The K Street project – the Republican leadership's efforts, led by Representative Tom DeLay, to pressure interest groups to hire Republican lobbyists – also received coverage (Berke 1995a). Journalists devoted a good deal of attention to how changes in party control would open doors for many groups previously excluded during the years of the Democratic majority (Stone 1994; Weisskopf and Maraniss 1995).

Issues of access are often the concern of major lobbying firms who want to ensure that their lobbyists have the necessary connections to meet with the Washington community's power players, who are typically determined by party control. Moore (1994) highlighted the effects of partisan connection on lobbyists' salaries and employment opportunities after the Republican's 1994 victory, and Wayne (2001) wrote about the reverse after the Democrats regained control of the Senate in 2001 when Senator Jim Jeffords (D-VT) left the Republican Party. The analysis presented in Chapter Five lends further support to these points.

Despite their partisan focus, however, these articles do imply that the institutional changes have some effect on lobbying activity. Moore points out that Republican cuts to House staff size and the elimination of certain committees and subcommittees "could lessen demand for lobbyists" (Moore 1994). Abramson (1998) suggests that the presence of divided government may be to blame for the growth in the Washington lobbying community. To be successful and maintain access to lawmakers under these circumstances, firms needed to hire lobbyists with connections to both parties.

Taken together, the above references provide some understanding of how changes within Congress can influence the interest group community. Of these sources, however, only Heitshusen's conclusions are based on comprehensive empirical research and the analysis of extensive conversations with the lobbying community. This study provides another such source. While Heitshusen places a great deal of emphasis on the ability of groups to be effective, my work emphasizes how groups recognize change in the House of Representatives and incorporate this recognition into daily lobbying decisions.

Chapter Overview

The above discussion has outlined the ways in which the interest group literature can benefit from research into the effects of institutional context on group behavior and strategy choice. Over the following chapters, this project offers such insight. Chapter Two describes the institutional context of the mid-1990s U.S. House of Representatives with an emphasis on the two reform trends: an increase in majority party control and a decrease in committee autonomy. Chapter Three addresses the research design of the project by outlining the various selection processes for the groups included in the study. It also provides an overview of the characteristics of these groups and the lobbyists who represent them before Congress.

Following this introductory material, the dissertation shifts its focus to the substantive findings of the interviews and additional analysis. Part I consists of two chapters, both of which deal with changes in group behavior across the Modes of Influence described above. Chapter Four examines the use of indirect influences in detail, especially grassroots work and attempts to influence other branches of the federal government beyond the House of Representatives. In Chapter Five, the focus

shifts to changes in campaign finance activity and the effects of the House reforms on group hiring practices under the new Republican majority.

The two chapters that comprise Part II examine changes in one specific Mode of Influence: direct lobbying in the House of Representatives. Chapter Six explores the changing nature of interest group work with both majority party leadership and the committee system in light of the shifting balance of power between these two organizing bodies. In Chapter Seven, the focus is on additional changes in the interest group community's direct lobbying; in particular, the discussion addresses the effects of the reforms regarding three topics: an interest groups' role as a source of policy information, the use of task forces, and the degree to which groups pay attention to House rules and procedure.

Finally, Chapter Eight reviews the project's conclusions and provides additional perspective on how these findings contribute to political scientists' understanding of interest group behavior in a changing environment. The conclusions presented here shed light on the importance of institutional context for interest group behavior, especially as it relates to partisan control of the House and the long-term relationships organizations develop with members of Congress. I also address the historical tension between the committee system and party control of the House of Representatives. Finally, I assess how the reforms of the 104th Congress affected the ability of the interest group community to serve an important democratic function: transmitting public preferences to the House of Representatives.

CHAPTER TWO

THE HOUSE REFORMS OF THE 104th CONGRESS

As noted previously, this project focuses on the reforms implemented at the beginning of the 104th Congress. Since the goal of the study is to assess group reaction to internal congressional changes, it is necessary to analyze group behavior over a period of time when dramatic changes such as these occurred. The research also focuses exclusively on legislation in the House of Representatives since these changes were most profound in this chamber. Typically, procedural reforms are most common and have the greatest impact in the House of Representatives. By design, the Senate is much less rule-oriented and less majoritarian. For these reasons, the project focuses only on the House.

The goal of this chapter is provide a discussion of House institutions. In doing so, I first review the scholarly literature on the topic. The chapter also provides an assessment of the two major trends of the 104th House reforms: strengthening majority party leadership and weakening the autonomy of the committee system.

Scholarship on Congressional Organization and Institutional Change

Given the dissertation's emphasis on congressional institutions, it is worth reviewing the scholarly literature on this topic. What follows is a discussion of two distinct but related areas of research by political scientists. The first – the rational choice models of congressional institutions – sheds a great deal of light on why Congress, particularly the House of Representatives, takes the shapes it does. This research does not explicitly address actors outside of the legislative branch, like interest groups, but the various arguments presented by these scholars have important consequences for how groups are expected to lobby Congress.

In contrast to the ad hoc, rather non-theoretical literature on interest group tactical choice, the literature on Congress and congressional organization is highly formalized and theory-driven. The rational choice literature on Congress places a great deal of emphasis on the degree to which the rules of the institution structure relationships and the policy agenda. For the purposes of the proposed research, four citations from this literature are particularly relevant. Together, these texts comprise the bulk of the theoretical literature on congressional organization.

The first two works place the committee system at the center of congressional organization. Weingast and Marshall (1988) argue that Congress is structured to maximize opportunities for legislators to make “gains-from-trade” or cooperative logrolling agreements. The committee system – with its split jurisdictions for various policy areas – allows legislators to specialize in areas most relevant to their constituents. Such an arrangement theoretically allows members of Congress to trade votes with their colleagues who have interests in areas different from their own, thereby furthering both members’ reelection interests.

Krehbiel (1991) also stresses the importance of the committee system, yet emphasizes the informational advantages gained from issue specialization. He argues that legislators lack information about which policy choices will lead to which policy outcomes. Congressmen hope to avoid any unintended consequences that may negatively affect their chances for reelection. Therefore, it is in the interest of all members to organize the chamber in a way that encourages members to gain expertise in certain policy areas and share this information with their colleagues when the House makes collective policy decisions. Though not explicitly modeled, interest groups – and the information they can provide – figure most easily into Krehbiel’s argument. As Heitshusen concludes, “To the extent that legislative information-provision is contingent on specific committee-based institutional arrangements, congressional

theories that focus on chamber reliance on committee information-gathering may be strengthened by attention to the role of interest groups in this process” (Heitshusen 2000: 171). Since legislators – both on and off the relevant committee – hope to minimize their uncertainty about the outcome of a particular policy, they may rely on information from knowledgeable outside actors. While the Weingast-Marshall and Krehbiel models may disagree on the logic behind the committee system, they share the idea that the committee system is the dominant mode of institutional arrangement.

Alternatively, Cox and McCubbins (1993) argue that parties are the most pertinent organizing features of the House of Representatives. They claim that legislators are especially concerned about their reelection chances and, in light of this concern, join together to reap the benefits of a collective party label. Party reputation and legislative records, as understood by the public, are collective goods shared by all members of a party. It is in the collective interest of all party members to pursue goals that strengthen the electoral value of the party label. These collective goals, however, may not directly align with an individual’s own preferences, electoral or otherwise, making the likelihood of defection high. Party leaders, though, have an incentive—by virtue of the power they hold as leaders—to pursue the collective goals of the party. More recently, Cox and McCubbins have extended their argument on the importance of parties in the House, especially majority party control; they suggest that its agenda-setting ability is paramount to its power (Cox and McCubbins 2005).

A number of the topics that Cox and McCubbins investigate to support the party relevance argument are also those areas that underwent significant changes following the GOP takeover. New Speaker Newt Gingrich (R-GA) took control of the committee assignment process and also violated long-held seniority norms. One could make a convincing argument that the changes following the 1994 election support a party-driven model of congressional organization. The Republican Party leadership

consolidated its strength, especially relative to committees and their chairmen. The rank-and-file members of the party willingly went along with these changes; the collective party ID – and its manifestation in the Contract with America – was a powerful explanation for the recent success of the party as well as its future prospects.

Rohde (1991, 1995) develops a “conditional party government” model that he and Aldrich expand in a series of papers. They argue that, as the heterogeneity of between-party preferences and the homogeneity of within-party preferences increase, legislators will strengthen party institutions in the hopes of achieving shared policy goals (Aldrich and Rohde 1997-1998; Aldrich and Rohde 2000b). Though parties may not always be the most powerful component of legislative organization, they will be very strong when the conditions are right. This theory emphasizes, contrary to Cox and McCubbins, that party leadership is responsible to the rank-and-file members, not the other way around. Regardless of their varied nuances, though, these two sets of authors stress the institutional power of parties.

The conditional party government thesis also fits nicely with the story of the 1994 takeover. Arguably, the two parties were clearly and distinctly divided. The collective support of the Republicans for the Contract with America fostered within-party homogeneity as well. Leadership consolidated its influence over the party. An important difference, however, is that the leadership was the driving force behind the party activity and the legislative agenda. Gingrich gave substantial influence to those rank-and-file members who supported him. This may be inconsistent with Rohde’s argument that, under conditional party government, the leadership acts as agents of the party members, as opposed to the older “Boss” image of party leaders.

These four models of Congress are intended to describe power within the House of Representatives; they do not address the ways in which these various arrangements may shape the behavior of external political actors like interest groups.

External political actors are largely left out of the models, though they are implicitly incorporated as components of a legislator's preferences, as Heitshusen (2000) points out. Given the premium legislators place on what groups have to offer – such as campaign contributions and policy information – these theories would benefit from an understanding of how the organization of the House can shape the behavior of external political actors, like those in the interest group community. These models offer competing views of congressional organization, and they do so by looking only within the legislature itself. Clearly, though, these alternative arrangements have important consequences for external political actors like interest groups.

A second research trajectory into congressional institutions has devoted substantial attention to the ways in which Congress, specifically the House of Representatives, has developed and changed over time.¹⁰ The analysis often focuses on the strength of the Speaker's office and other party-based organizations relative to committees. The relative autonomy of committees, subcommittees, and their chairmen likewise garners substantial attention. This shifting balance of power is a dominant theme of the 104th Congress reforms and also the analysis presented below.

Various editions of Dodd and Oppenheimer's *Congress Reconsidered* provide timely scholarly analysis of institutional change in Congress.¹¹ For example, Evans and Oleszek (1997) offer an important perspective on the Republican Party's committee reforms in the mid-1990s, highlighting how an examination of these changes illuminates the politics of congressional reform.¹² Along similar lines,

¹⁰ For a review of such changes, see Schickler (2005). Benschel (2000) suggests that scholarly attention should be directed toward creating a theoretical explanation for these changes, rather than the narrative accounts that presently dominate the literature.

¹¹ See in particular Dodd and Oppenheimer (1993 and 1997a).

¹² See also Evans and Oleszek (1997) for a comprehensive review of reform efforts under both the Democratic and Republican majorities.

Sinclair (1997) provides a discussion of the role of party leaders in changing legislative processes.

Binder (1997) compares institutional development in the House and Senate, arguing that various partisan alignments create opportunities to sway procedure in favor of majority party control or, alternatively, in favor of creating rights for the minority. Her analysis suggests that procedural developments depend on the strength of the majority party and the balance of power between coalitions favoring or opposing reform. In perhaps the most comprehensive explanation of changing institutions, Schickler (2001) argues that no single theory can explain the institutional development of Congress over time. Instead, he suggests a theory of “disjointed pluralism” in which “many different coalitions promoting a wide range of collective interests drive processes of change” (Schickler 2001: 4).

Polsby (2004) attributes changes in House structure to changes in the composition of the political parties. He argues that the changes in the 1970s, in particular, were party-based; that is, these reforms were driven by the Democratic caucus. He suggests that changes in the Democratic Party, in turn, “were the product of the nationalization of the South, of demographic changes that had made the South more like the rest of the country, and of the party realignments that made it possible for southern Republicans to run for House seats and win” (Polsby 2004: 150). A party-based assessment of institutional changes also seems an appropriate explanation for the changes in the 104th Congress, which were driven almost entirely by the Republican leadership.

Polsby’s emphasis on the socio-political factors that influence congressional change does turn scholars’ attention to circumstances beyond Capitol Hill. Yet, while comprehensive in their assessments of House institutional development, the majority of these works look at change in Congress entirely from within the legislative branch

itself. The authors examine the effect of reform on House procedure and the balance of power within the chamber. Very little attention is given to the effects that these changes have on political actors outside of Congress, including the interest group community. Understandably, such an assessment is often beyond the scope of these scholars' research goals. The analysis in the following pages, though, offers insight into this missing link.

The 104th Congress Reforms

The Republican Party victories in the 1994 midterm elections constitute an important landmark in congressional history. First and foremost, the results meant a new majority party in the House for the first time in 30 years. This change meant new committee chairmen, new House leadership, the existence of divided government, and new legislative priorities. Additionally, the change in party control resulted in a substantial change in congressional institutions and procedures.

At the start of the 104th Congress, new Speaker of the House Newt Gingrich instituted a number of drastic reforms, many of which altered majority party leadership practices. Table 2.1 provides a comprehensive list of the changes. Each specific change is discussed in great detail in the following sections of the chapter. These sections outline the two major shifts in congressional norms that occurred as a combined result of these specific changes to House practices: a strengthening of majority party control and a weakening of the committee system.

Perhaps one of the most important concepts for the purposes of this dissertation is that of "reform" or "change," especially as it relates to House institutions. The concept of institutions was carefully defined in the beginning of Chapter One. To review, an institution is a prominent organization within a society – such as the nuclear family, a large company, a powerful group representing a subset of

citizens, or also a governing body, like the legislative branch. An institution is also a significant practice or norm – for example, marriage, doctor-patient confidentiality, or a widely accepted procedure, such as how a bill becomes a law. Institutional change or reform, then, can be described as changes to a prominent societal organization or to the way such an organization operates on a day-to-day basis.

Table 2.1, House Reforms in the 104th Congress

<ul style="list-style-type: none"> • The Speaker was limited to a term of eight years.¹ • The Speaker was granted more authority in the appointment of committee chairmen. • Majority party leadership increased its control over the committee assignment process within the party. • Many of the administrative offices were reorganized and placed under the authority of the Speaker's office • Members were limited to two full committee assignments and four subcommittee assignments. • Members were allowed to chair only one committee or subcommittee. • Committee and subcommittee chairmen were limited to six year terms. • Committee chairs were granted the authority to appoint subcommittee chairmen. • Most committees were limited to a maximum of five subcommittees. • Separate subcommittee staffs were abolished and subcommittee funding was consolidated under the full committee. • Three standing committees were abolished. • A portion of the work of the Energy & Commerce Committee's jurisdiction was transferred to other committees. • Many committees were renamed to reflect the priorities of the new Republican majority. • Proxy voting in committees was abolished. • Joint referral of bills to committees was abolished.

¹Though this term limit was established, there has yet to be an opportunity for its imposition. Gingrich resigned from the Speaker position after the 1998 midterm elections. Before Hastert's eight years was complete, the Republicans lost majority status in the House in the 2006 elections.

The changes outlined in Table 2.1 qualify as both. For example, the abolition of three standing committees constituted a significant alteration in the structure of the House. Also, many of the reforms listed in the Table were changes to congressional practice and procedure; these include the implementation of term limits on committee chairmen, the abolition of proxy voting, and changes to bill referral, for example. Thus, each unique item in the list itself can be seen as a change in House norms and thereby House institutions. Taken as a whole, the reforms also jointly qualify as

institutional reform; they significantly altered the structure of the House, a prominent institution within the United States government.

As described above, institutional change consists of changes to the practices, procedures, norms, and structure of a prominent organization within society – in this case, the U.S. House of Representatives. The House is also subject to additional change that is worth distinguishing from that of institutional reform. Two types of change, in particular, are quite common. The first of these is partisan change. Given the two-party system of American government, each chamber of the legislature oscillates between the control of one party or the other depending on which holds the majority of seats. When an election results in a new majority party, the House is then subject to partisan change. The 1994 midterm elections ushered in partisan change when the Republicans gained control of the chamber for the first time in decades. It was this partisan change, in fact, that spurred the institutional changes introduced by the new Republican majority.

As noted in Chapter One, separating partisan and institutional change in this period of congressional history is complicated. The challenge for my research is to differentiate between the effects of partisan and institutional change on group behavior. As I address throughout the analysis below, the evidence collected during my interviews with lobbyists supports my argument that the changes in group behavior are due to the institutional reforms listed in Table 2.1 and not just a change in partisan control of the chamber.

In addition to partisan and institutional change, the House is also subject to change as a result of new policy. In many instances throughout history, the House has implemented institutional change via the policy process, including changes to the chamber itself. Campaign finance reform and the Legislative Reorganization Act of 1946 are just two examples of the House passing legislation that had profound effects

on the norms and practices of the legislative and electoral processes. It is worth noting here that the changes implemented at the beginning of the 104th Congress were not pursued through the policy process. The House did not pass legislation imposing the new structures and procedures outlined in Table 2.1. Instead, these changes were realized through the party caucus, particularly that of the Republicans. These changes mainly affected majority party procedures; as such, they were handled in the party caucus and not through the formal legislative process of the House.

The 1990s offer a particularly ripe period in history to study the effects of institutional change on interest group behavior. The reforms constitute the most profound changes to the House since of the 1970s – a time when the interest group community was just beginning its rapid growth. Also, as Aldrich and Rohde (1997-1998) point out, the reforms of the 1970s took place over a number of years, while the 1994 GOP reforms occurred within a few weeks. Since the changes were so drastic and sudden, they allow for a straightforward before-and-after comparison of interest group behavior. In the remainder of the chapter, I outline the specific changes listed in Table 2.1 as they relate to two broad trends: the strengthening of majority party control and the weakening of the committee system.

Strengthening Majority Party Control

The trend toward stronger party leadership in the House began long before the Republican Party gained majority status in the 1994 elections. In the 1960s and 1970s, newly elected liberal Democrats grew tired of a chamber dominated by conservative committees. Over the next few decades, the textbook committee-run Congress slowly began to change; the greatest reforms occurred in the 1970s and served to shift power away from entrenched committee chairmen to their subcommittees and also to party leadership (Sinclair 2000: 84). Thus, while the

process became more decentralized, the House leaders and the Speaker in particular were also given more authority.

During this time, the Democratic leadership was granted more control over the Rules Committee and committee assignments. The process of multiple referral of bills was also introduced, which increased party leadership power by providing more points of access to the policy-making process (Young and Cooper 1993: 230). Sinclair too claims that “Majority party leaders in the contemporary [1980s] House are more active, more frequently involved in all stages of the legislative process than were their predecessors of the 1950, 1960s, and 1970s” (Sinclair 1993: 238). Thus, the precedent of strong House leadership by the majority party had been set.

Yet the GOP reforms in the 104th Congress still constituted a drastic increase in the power of the Speaker and House leadership. In this section, I describe some of these changes, summarize why they occurred, and outline their effects on the legislative process. It is these effects –and the legislative environment they created – that had an influence on how interest groups used the Modes of Influence.

Owens (1997) outlines the many changes introduced by newly-elected Speaker Newt Gingrich. First and foremost among these was the creation of a Steering Committee for the party; the Committee was chaired by Gingrich and designed to establish legislative priorities, schedule items for consideration in the House, and nominate committee members and chairmen.

The legislative priorities of the new majority had been laid out in detail in the Contract with America. This document was published by the Republican Party shortly before the 1994 elections and outlined the party’s principles and legislative goals. Gingrich and House Majority Leader Richard Armey had been among the authors of the Contract and were anxious to exercise their new authority to implement the Contract’s legislative plan. Doing so required substantial support from all party

members and committee chairmen. To enforce party loyalty and ensure the passage of the legislation, Gingrich and Armey provided strong incentives for members to support the goals of the party and work towards those ends. For example, Republican members of the Appropriations Committee – through which the GOP leadership wanted to implement a number of its policy proposals – were required to sign a “letter of fidelity” that, according to Newsweek, committed the signatories to meet Gingrich’s budget goals (Rosensteil 1995). The message was clear: sign or be removed from the powerful committee.

The GOP leadership also engaged in substantial oversight of committee work on those issues included in the Contract – on both the procedure *and* substance surrounding the bills. As the *National Journal* pointed out,

Under the old regime, Democratic leaders typically operated at the sufferance of the chairmen on both the substance and timing of legislation. Now, aides to Gingrich and Armey hold twice-weekly meetings with top committee aides to make sure that the panels are complying with the leadership’s master schedule and to seek consistent themes in the legislative actions (Cohen 1995).

Cohen also points out that only Gingrich, Armey, and their leadership staff had regular computer access to the complex legislative scheduling system; not only were Democrats left out, but Republican committee chairs and their staff lacked access as well.

Aldrich and Rohde (1997-1998) emphasize that Gingrich himself was deeply involved in committee activities and decisions. They suggest that he played a more active role in this realm than any other Speaker in the previous eighty years. Committee chairs needed Gingrich’s approval before consolidating any subcommittees, naming new subcommittee chairs, and often holding subcommittee hearings.

Other prominent changes implemented by Gingrich and the Steering Committee concerned the appointment of committee members and chairmen. In some cases, incoming freshmen members were given desirable committee assignments over members with more seniority or clout within the chamber. Owens describes the prominent responsibilities given to many new members:

Gingrich...insisted that those in the vanguard of the Republican 'revolution' who had given the party majority status – the seventy-three new members – were involved in assigning members to committees and received plum assignments sometimes over the claims of more senior members, and sometimes against the wishes of committee chairs... (Owens 1997: 251)

While it was typically rare for freshmen to be appointed to the Appropriations Committees, the eleven new Republican appointees had all been elected during or after the 1992 elections; seven of them had gained their House seats in the 1994 takeover (Aldrich and Rohde 2000a: 12).

The vote allocation within the Steering Committee regarding committee assignment was drastically changed; the total number of votes was decreased from 196 from the previous Congress to thirty. According to Aldrich and Rohde (1997-1998), only two members of the twenty-five person committee received more than one vote for allocation: Armey had two and Gingrich had five, giving each man substantial say in which members sat on which committees.

The changes that received the most attention in the press were those regarding committee chairmanships. As Owens points out, "Before most of the newly elected Republicans had arrived in Washington, [Gingrich] assumed the right to name committee chairs" (Owens, 1997: 250). In three specific cases on three prominent committees, Gingrich appointed a legislator as chairman over another more senior member. The point of this new practice was to ensure that new chairmen would work within the constraints of the majority party's plan: "All three hand-picked chairs were

judged as more assertive and dynamic...and less likely than those they displaced to pursue committee-defined over party-defined priorities” (Owens 1997:250). In the most extreme case, Robert Livingston – appointed chairman of the aforementioned Appropriations Committee – assumed power over four other committee members with greater seniority than his own.

Gingrich’s control over committee chairman also extended beyond the appointment of chairmen; the threat of removing a chair from his position was a very real one. Owens describes a “universally recognized condition of committee leadership” under GOP control:

committee chairs were above all representatives of the majority party – not leaders of semi-autonomous units able to recommend legislation which conflicted with the Conference’s wishes – and that, should committee chairs err any significant distance from the party’s wishes, Gingrich could invoke Conference rules at any time, call a meeting of the Steering Committee, and recommend removal of a chair (Owens 1997:258).

The threat is best illustrated by Gingrich’s comments to a chairman who informed the Speaker that his committee could not meet a hasty deadline for passing Contract legislation; Gingrich replied, “If you can’t do it, I will find someone who will” (Rosensteil 1995).

Under what circumstances would House GOP members be willing to cede so much authority to the party’s leadership? Scholars have developed a number of explanations for these changes. The “conditional party government” model developed by Aldrich and Rohde (2000a) suggests that rank-and-file members are willing to grant greater power to party leadership as within party preferences converge and across party preferences diverge. They conclude that the circumstances surrounding the 1994 elections meet exactly these criteria (Aldrich and Rohde 1997-1998; Aldrich and Rohde 2000a).

Owens points out that the 104th Congress was highlighted by “high levels of party voting and strong party support among Republicans *over and above any levels achieved by majority Democrats over the previous forty years*” (Owens 1997: 264, emphasis in original). Using Congressional Quarterly’s criteria for party line voting, Owens determines that 73% of votes in 1995 pitted 50 percent of one party against 50 percent of the other. In nearly 32% of the votes, 90 percent of Republicans were united against 90 percent of Democrats; Owens points out that these levels were the strongest since the days of party government under Speaker Joe Cannon in the late 1800s. The uniformity of the Republican Party members’ legislative agendas – and their unified opposition to the Democratic platform – offers one possible explanation for their willingness to grant so much authority to party leaders.

Additionally, the strong personality and leadership style of Gingrich cannot be ignored in explaining these changes. In the minds of many Republicans – both incumbents and the newly elected – Gingrich was responsible for orchestrating the Republican victories. After decades in the minority, many party members were happy – even obliged – to grant authority to the man responsible for bringing them to the forefront. Gingrich was a strong believer in the party government model and a strong centralized leadership. He was also aggressively partisan and an expert in policy of all sorts. His dynamic personality and knowledge of policy and the political process made him a powerful force within the political process.

Owens (1997) also points out that many of the new Republicans elected in 1994 were fiercely anti-government and anti-Washington. As a result, they had little or no ties to the committee system of the past; nearly half, in fact, had not held elective office of any kind. Many of these newcomers were elected – and believed they were elected – on the basis of the proposals outlined in the Contract. They had a strong interest in seeing the Contract pass as promised, regardless of the sacrifices that

needed to be made. Strong and controlling leadership was an important precondition for moving on this legislation. In short, Owens argues that, “House Republicans developed the habit of trusting and deferring to a leadership which had got them into a position that many thought was impossible before the election – even when this involved modifying previous policy preferences...” (Owens 1997: 268).

Regardless of the reasons behind these institutional and procedural reforms, the fact remains that they occurred and majority party control was substantially increased. Certainly, after the first 100 days of the legislative session and the Contract with America had been addressed, the fervor with which the party leadership approached legislation abated slightly. Following Gingrich’s resignation as House Speaker in 1998, Dennis Hastert took over the position and arguably led with more deference to committees and their chairman (Davidson and Oleszek 2002). Yet, despite the change in leadership styles, the relative influence of party leadership and committees was permanently altered.¹³ As Jacobson argues, despite Hastert’s tempered approach, party discipline—and loyalty to party leadership—remained high (Jacobson 2001: 215). Tom DeLay, who was majority party whip under Gingrich and served as majority party leader from 2003 to 2006, is very well-known for his strong party control and demands for party loyalty. Thus, while the heavy-handed tactics introduced the GOP in the 104th Congress might have ebbed and flowed over subsequent years, they served to substantially change the role of House leadership and its control over legislation. In all, these changes created an environment in which majority party control of the chamber was drastically stronger than it had been in previous Congresses.

Strong majority party control had numerous consequences for the legislative process. First and foremost, the violation of seniority norms and the increased role of

¹³ For a discussion of the ways in which the GOP tempered its initial demands, see Fenno (1997).

leadership in the assignment process sent a clear message that the spoils of majority party control would be conferred upon those Republicans most in line with the party stance. Such a scenario sets up an incentive structure that rewarded members who toed the party line. Members who supported the party's legislative platform would be given desirable committee seats, committee chairmanships, and the chance to increase their power within the chamber.

Likewise, legislators who broke party rank did so under the threat of never receiving such benefits or, even worse, having these positions taken away. As discussed above, party line voting was at a high point in the 104th Congress after these reforms. While this trend is evidence for House members' decision to cede control to the leadership, this data may also be a side effect of strong leadership control; few members were willing to break ranks for fear of retribution from the leadership.

In addition to these incentives, the reforms also gave the Republican majority more control over the agenda and the content of legislation. By taking a hands-on approach to policy making within the committees, the leadership was able to exert a strong influence over which issues came up for discussion and what the viable policy options would include. This greater control over the substance of legislation meant there were far fewer opportunities for a surprising legislative outcome. The political process became more predictable and the range of possible outcomes was greatly decreased. Bachrach and Baratz (1962) argue that power extends far beyond who exerts influence in the decision-making process. The powerful also include those who have the ability to set that agenda about what decisions will be made in the first place. Certainly, the reinvigorated GOP leadership had substantial power in both situations. One lobbyist interviewed for this study described the situation: "When the GOP took over, the nature of the legislation became far more predictable and lockstep...The

potential outcomes were less interesting.”¹⁴ A process such as this has important consequences for how interest groups approach lobbying and how these groups perceive their influence.

The environment described above – one of strong incentives to support the party and a smaller range of legislative outcomes – provides the context in which groups work on behalf of their interests. The increase in party control and its subsequent effects had an important impact on the ways in which many groups selected among the Modes of Influence.

Weakening the Power of Committees

The changes discussed in the previous section strengthened majority party control, and they did so at the expense of the committee system. Committee chairmen who bucked party authority ran the risk of losing their position. The constant involvement of the leadership staff and the leaders themselves in the day-to-day work of committees also limited the degree to which committee chairmen and members could pursue agendas beyond those of the majority party. In addition to this strong leadership oversight, other reforms were introduced that weakened the effectiveness of the committees; they are outlined here. Evans and Oleszek (1997b) group the reforms into five distinct categories: those affecting 1) committee assignments, 2) the powers of the chair, 3) committee jurisdictions, 4) staff resources, and 5) internal committee procedures. This section uses these same categories to assess the reforms.

As mentioned above, the Republican leadership increased its control over the committee assignment process. Members of Congress were also limited in other ways. No legislator was allowed to serve on more than two full committees and four

¹⁴ The direct quotes from lobbyists that are included throughout the text have been slightly edited to improve grammar and clarity, to maintain respondent anonymity, and to remove any conversational speech that might interfere with the lobbyists' remarks.

subcommittees. Additionally, the sizes of many committees were altered. Evans and Oleszek (1997b) report that twelve committees saw size reductions, while four were increased. The authors conclude that the trend toward smaller committees was designed to facilitate quicker and easier passage of the Contract with America; smaller committees mean fewer demands to reconcile and fewer compromises to make (Evans and Oleszek 1997b: 198). With fewer interests to accommodate, the committees – under strong leadership control – stood a better chance at passing the promised legislation.

Typically, on issues under their jurisdiction, committee chairmen have power rivaling and even exceeding that of party leadership. As Evans and Oleszek note, “The chairs typically have significant discretion over which bills are scheduled for committee consideration and therefore which bills are reported to the full chamber. Committee chairs also have significant information advantages relative to other members because of their control over committee staff resources” (Evans and Oleszek 1997b: 199). In the 104th Congress, however, the power of these chairmen was arguably limited by many of the changes introduced by the Republican leadership. The committee chairman faced substantial oversight from party leaders and had strong incentives to carry out their legislative agenda. The Republicans also imposed a six-year term limit on committee chairmanships, with the intention of preventing one single chair from accumulating power over the course of many years. The new majority party also sought to distribute power across committee members by no longer allowing a full committee chairman to serve simultaneously as subcommittee chairman without leadership permission. Legislators were also allowed to chair only one full committee or subcommittee at a time, further preventing chairmen from becoming too powerful relative to party leadership.

The Republican reforms significantly altered the jurisdictional landscape of the committee system. Three committees were abolished and their issues were reorganized into the jurisdiction of the remaining committees; those eliminated were the District of Columbia, Merchant Marine and Fisheries, and Post Office and Civil Service committees. Additionally, a small portion of the issues within the Commerce Committee's jurisdiction were reorganized to become the responsibility of other committees; these issues included railroads, food inspection, the Trans-Alaska Pipeline, inland waterways, national laboratories, and the Glass-Steagall Act regarding banking and securities. The committee retained oversight over the securities industry and none of the areas transferred was typically the major issues on which the committee worked (Cooper 1994). No committee, however, is happy to relinquish its authority over legislation and the power that such authority brings.

House Republicans also changed the procedure by which bills were referred to committee. In particular, joint referral – in which bills are sent to more than one committee – was abolished. Sequential referral, which occurs when a bill is sent to one or more committees after the initial committee of referral has reported it, and split referral, when a bill is split into a separate provisions and sent to more than one committee, were not abolished; the Speaker retained the ability to refer bills in this manner but was required to appoint a committee of primary jurisdiction. Oleszek (2001) points out that this gave the Speaker greater influence in determining which committees had a hand in developing legislation. Given that committees derive their power from their informational and gate-keeping advantages over the issues under their jurisdiction, changes such as these had important consequences for the relative powers of some committees over others.

Subcommittees also underwent substantial reforms in the 104th Congress. The reforms of the 1970s sought to weaken the power of strong committee chairmen and

bolster the rights of the subcommittees; collectively, these reforms were known as the subcommittee bill of rights. In 1994, the GOP majority enacted a number of reforms that essentially repealed this bill of rights. Instead of having subcommittee chairmen selected by members of the majority party, they were appointed by the full committee chairman. These full committee chairmen were thus granted a great deal of control over the subcommittees while they too were controlled by the party leadership. As Evans and Oleszek describe, “these reforms largely enabled the Speakers, who could hire and fire the chairs, to reach down into the middle management of the committee system and ensure that it served the interests of the majority party” (Evans and Oleszek 1997b: 201). Additionally, full committees were limited to a maximum of five subcommittees each.

The staffs of both individual members and the standing committees are an overlooked but very important aspect of the political process. Staff members are an incredibly important resource for legislators; typically, these individuals – especially committee staffers – have substantial expertise in specific policy areas and the consequences of various policy proposals. The Republican reforms significantly changed the committee staff system, which is typically controlled by the majority party; historically, committee staff is unevenly allocated between the two parties (Evans and Oleszek 1997b: 206). After years in the minority, the GOP had far fewer committee staff; they decided to reduced the absolute numbers of staff and hire their own personnel after gaining majority status. Though the overall size of the committee staff was reduced by one-third, the percentage of staff granted to the minority party did increase.

The abolition of separate subcommittee staffs was another important change regarding staff. The subcommittee staffs now worked under the authority of the full committee chairmen – not the subcommittee chairman. This change – in conjunction

with the others – served to further weaken the power of subcommittees and their chairs. As Smith and Lawrence point out,

The full committee chairs exercised substantial control over their panels' internal affairs... Subcommittee and their chairs... lost most of the ability to independently initiate hearings and legislation, which their Democratic predecessors had enjoyed. So, while the full committee chairs lost much of their independence from central party leadership, the subcommittee chairs lost most of their independence from full committee chairs (Smith and Lawrence 1997: 184).

Giving control of all staff to the full committee chair served as an important component of this shift in power.

The GOP also introduced a number of changes to internal committee procedures. Though these changes had less effect on the relative balance of power between party leaders and the committees, they still had the potential to affect group behavior and the incentives of individual legislators. First of all, the practice of proxy voting in committees was banned. Proxy voting is a system in which committee members not physically present at a meeting can still participate in proceedings by letting other members cast a vote on their behalf. Republicans had long argued that this practice gave too much control to committee chairmen and hurt the committees by allowing for absenteeism and less deliberation (Evans and Oleszek 1997b: 204).

The use of a rolling quorum – in which a chair could report legislation out of committee without an actual quorum or members present – was also abolished. Republicans mandated that all committee meetings be open to television and radio broadcast unless sensitive information was under discussion. Finally, committee reports publicized how individual legislators cast their votes in committee hearings.

Each of these internal procedural changes had its roots in the Republican Party's experience while in the minority. During those years, many members of the GOP complained about the use of proxy voting and rolling quorums, as well as the

exclusion of certain meetings of the Ways and Means and Appropriations Committees from public broadcast. These concerns, as well as increasing public demand to further open up congressional proceedings, led to these procedural changes.

In addition to these five categories of committee reform, one additional change deserves substantial attention. During the 104th Congress and the years that followed, the Republican Party increasingly relied on task forces to bypass the committee system entirely. Scholars have pointed out that narrow party majorities, partisan disagreement, and lawmakers seeking to make a name for themselves have made it increasingly difficult to get legislation through the committee system (Oleszek 2001). Task forces – ad hoc legislative bodies convened on an issue-by-issue basis – were often used by the Democratic leadership while they held the majority, but the use of such bodies greatly increased once the Republicans took control in 1994. The Democrats – according to congressional scholars – utilized task forces to create support for bills headed to the floor but the Republicans saw task forces as an opportunity to centralize party power over the legislative agenda (Dodd and Oppenheimer 1997b: 43).

In his time as Speaker, Gingrich created task forces to deal with legislation on crime, term limits, welfare reform, and Medicare reform to name a few. When the Patients' Bill of Rights legislation was under consideration in the House in the late 1990s, future Speaker Dennis Hastert chaired a task force overseeing the issue. Many of the members and chairs of committees with jurisdiction over the various issues were included among the task force members – in part due to their substantial policy expertise – but, as Smith and Lawrence (1997) note, having more than one legislative body responsible for decision-making on the issue weakened the standing committee's independence.

The GOP task forces ran in very different ways from standing committee procedure: no public hearings were held and no formal records of the meetings existed for review; additionally, minority party members were often excluded and full deliberation was not always conducted before decisions were rendered. In many cases, the Democrats created task forces of their own to counter those of the Republicans. Cohen (1999) points out that the use of leadership run Republican task forces was yet another example of Gingrich's "top-down management style" at the expense of the committee system.

The joint effect of all of the changes detailed above was to weaken the autonomy of the committee system and ensure that committees and their chairmen did not stray too far from the Republican Party agenda. By 1999, congressional reporter Richard Cohen concluded that the committee system had weakened to its lowest point in thirty years (Cohen 1999: 2210). Though the committee system had diminished under the Democratic majority, its final collapse is attributed in large part to the reforms introduced by the Republicans in the 104th Congress. Even after Gingrich stepped down as House Speaker amid charges of ethics violations and public dissatisfaction, committees and their chairman failed to fully wrest control back from the leadership. Cohen points out that, despite claims that he would return more freedom to the committee system, Speaker Hastert failed to fully do so:

[M]embers still complain of an absence of true debate and thoughtfulness in most committee actions...In recent years, a growing number of members seeking to learn about issues have found committee hearings so stage-managed as to be useless, and these members have stopped relying on the committees as a source for education and deliberation (Cohen 1999: 2215).

Thus, members of Congress and congressional observers of many stripes have found that the committee system – following the Republican reforms – was greatly

weakened from its heyday in the 1950s and 1960s and also from the years leading up to the Republican takeover in the House.

In implementing these reforms, the Republicans accomplished two goals: ensuring strong party control over the committee system and addressing their concerns from their years in the minority party. Yet these reforms accomplished far more than these two goals. They also created a new environment in which groups seeking to influence legislation would work.

CHAPTER THREE ISSUES OF RESEARCH DESIGN

The previous chapter highlighted the decision to focus on House legislation in the mid-1990s. In addition to this preliminary decision, many other aspects of the project's research design require explanation. This chapter outlines the various parameters of the study and describes its methodology. The discussion begins by describing the decision to focus on interest groups with an interest in health policy. Next, the chapter outlines the legislation that provided the background for the interviews that were conducted. After explaining the process for selecting the three issues of focus, I provide a brief legislative history of each.

The discussion also explains the selection of the interest groups chosen for the study, as well as the individual lobbyists actually interviewed. After describing these procedures, the chapter offers a brief overview of the sample. The final section provides details about the actual interviews conducted.

Focusing on Health Policy

The goal of the project is to examine the degree to which interest groups structure their behavior around congressional organization, especially in light of where power and influence resides. The term *interest group* is one which captures a wide spectrum of organization types. An interest group is formally defined as “a voluntary membership association that pursues a common cause through political participation” (Ginsberg et al, 2003: 417). The sorts of associations that fall into this category are very diverse in size, resources, goals, and ideological orientation. To fully examine how interest groups react to changes in congressional organization, the dissertation should explore a wide range of associations. A study of the entire interest group community, however, would likely be superficial and unmanageable. Instead, the

project focuses on a subset of interests: those with a stake in health policy, specifically legislation concerned with the provision and regulation of private health insurance. Focusing on groups with this interest makes sense for a number of reasons.

The general consensus among interest group scholars familiar with health policy is that the nature and scope of groups associated with the issue changed greatly during the latter half of the twentieth century (Peterson 1993; Baumgartner and Talbert 1995; Laugesen and Rice 2003). According to Baumgartner and Leech, the number of health and medical association listed in the *Encyclopedia of Associations* grew from 433 in 1959 to 2,426 in 1995.¹⁵ In addition to the sheer expansion in numbers, the nature of these groups has changed as well:

Health care—once the domain of a relatively small number of powerful actors centered in the medical community, hospital administrators, and the largest insurance providers—has been transformed into a tremendously conflictual interest-group battlefield. Health-care policy cannot be made without the involvement of a great range of powerful interest representing a great diversity of views (Baumgartner and Leech, 1998:112).

Peterson (1993) argues that the health policy community underwent an important transformation between the efforts to reform the healthcare system in the 1970s and those in the early 1990s. In the mid-twentieth century, the power players consisted of trade associations like the American Medical Association and the American Hospital Association, the health insurance industry, and the business community involved in purchasing health insurance. Until recently, these groups typically agreed on an appropriate government policy; challenges to the status quo were rare.

¹⁵ The growth in groups is part of a larger trend of interest group proliferation. For a review of this topic, see Baumgartner and Leech (1998).

These organizations are still certainly among the most powerful working on health issues. In time, however, the environment has become polarized with the emergence of reform-oriented groups, such as labor, nonprofit organizations, and citizen groups. Additionally, disagreements within some sectors also helped to alter the policy arena. As Peterson notes, splits between for-profit and non-profit hospitals, healthcare providers and business consumers of insurance, and even physician groups have weakened the dominance of the entrenched special interests.

Hafferty and Light (1995) describe five groups that are actively involved in health care as it relates to government action: the medical community, corporate purchasers of healthcare for their employees, corporate sellers that provide services or manufacture medical products and pharmaceuticals, other providers such as nurses and physical therapists, and consumer organizations like the AARP and various patient advocacy groups (Hafferty and Light, 1995: 137). These conclusions are also supported by Laugesen and Rice (2003) who argue, “Think tanks and foundations provide research and analysis on the uninsured and advance the interests of those without coverage. Private payers have become more organized over time and better represented in Washington as the market has become more competitive. Consumers are now “empowered” in the healthcare system...and patients are more willing to organize themselves politically” (Laugesen and Rice, 2003:297).

In short, changes within the group environment created an entirely new – and more expansive – landscape of groups with interests in health policy. Explaining the reasons behind these changes is beyond the scope of this study.¹⁶ The changes, though, demonstrate why health policy is a fruitful area in which to consider the research question proposed here. Rather than fitting the “iron triangle” criteria, the new health policy community is, in Heclo’s (1978) words, an “issue network.” As

¹⁶ For a brief overview, see Peterson (1993).

Peterson writes, “iron triangles had to give way to looser, less stable, less predictable, and more diverse patterns of interaction and decision...” (Peterson, 1993:419).

These conclusions suggest that health-related interests have, in recent years, begun to mirror the range of groups within the broader interest group community. Each of the different types of interest groups –trade associations, corporate, labor, citizen-based, small, large, and so on – have a representative in the health policy community. It is reasonable to imagine that groups with varying interests and resources may react differently to internal changes in Congress. Organizations with a large staff and expansive budget may deal with institutional changes in a different way than a smaller staffed and less well-funded group. Likewise, groups who are ideologically similar to one party may have a different response than those groups informally aligned with the other party. Capturing these sorts of variations is an important part of my analysis. Thus, by focusing on health policy, the project simultaneously looks at important dynamics while maintaining a reasonable scope.

Additionally, the sustained attention given to health policy throughout the time period under study makes it a useful topic on which to focus. The initial years of the Clinton administration, as described in greater detail below, were highlighted by a substantial push for healthcare reform. Despite the failure of these reform efforts – or perhaps because of them – health policy remained an important part of the legislative agenda throughout the decade. The summer of 1996 saw the passage of the Health Insurance Portability and Accountability Act which, among other provisions, instituted smaller-scale reforms to the private insurance market. The following year, the Balanced Budget Act of 1997 implemented some of the most significant changes to Medicare since its inception in 1965. The final years of the decade also saw a large-scale focus – both in Congress and the news media – on HMOs and the reform of managed care.

Presumably, groups with an interest in health policy and private health insurance were highly mobilized in response to these various initiatives. It is therefore likely that groups with a stake in health care were active players in the process and also highly informed about the legislative agenda and process. Thus, the lobbying and campaign finance activity captured will be that of groups at their most politically attentive, an ideal situation to determine how various groups – and group types – respond to changes in congressional institutions. The project focuses on three key issues undertaken by the House of Representatives: one prior to Republican reforms and two after these changes were implemented. The following section chronicles the legislative development of these issues and demonstrates why they are useful avenues of study.

The Legislation

Selection methods

The publications of the Congressional Research Service (CRS), the nonpartisan public policy research division of the U.S. Congress, were used to select the legislation on which to focus. The CRS, which is designed to provide the legislative branch with policy analysis and information, regularly publishes documents that summarize major issues before Congress. Many of these documents review the content and status of House and Senate bills associated with these issues. Using Lexis Nexis Congressional Universe as an online search engine, I collected those synopses with a connection to health policy and legislation regarding private health insurance in the 102nd to 105th Congresses (1991-1998). In addition to the CRS Reports, I also conducted an online database search of *CQ Weekly*, a Congressional Quarterly publication that highlights and reviews the major work in Congress each week. Here, I searched for articles about health insurance legislation in the House.

Based on my readings of these two publications, I identified three issues on which to focus the project: the efforts to overhaul the healthcare system during the Clinton administration, the passage of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and efforts to create a Patients' Bill of Rights in the 105th Congress.¹⁷ These three were the most prominent issues dealing with private health insurance legislation among those addressed in the CQ reports and the CRS publications. The first issue serves as a benchmark of group activity *before* the 1995 House reforms, while the latter two serve as examples of group behavior *after* the changes. By comparing group activity on these three issues, I can assess the impact of congressional change on group behavior.

Rather than focus on group behavior regarding individual bills, I chose to present the issues as groups of bills. Each of the issues selected for the study was associated with more than one House bill. In these cases, most groups do not work exclusively on one bill or another, though an organization may register opposition or support for a single proposal. As such, it is less meaningful to talk with groups about their work on a single piece of legislation. Additionally, asking questions about a group's work on 10 bills, for example, is much more time-consuming than asking about their work on three issues. Likewise, some bills are more viable than others and therefore receive more attention from legislators and groups. Soliciting information about a group's work on each bill was deemed unnecessary. While the interview

¹⁷ Originally, I also planned to include a series of proposals in the 102nd Congress to amend the Employee Retirement Income Security Act of 1974 (ERISA). ERISA was originally passed to protect worker pensions and provide uniformity in regulation for those employers with employees in more than one state. Health benefits were a last-minute addition to those plans regulated and protected under the law (See Rovner, 2000: 49 for further discussion). Upon completing my first round of interviews, however, I realized that the various proposals to amend ERISA in the 102nd Congress were not an issue of great concern to most groups selected for the study. Though I did find coverage of the issue in various news articles by Congressional Quarterly, virtually none of the groups I interviewed had worked on the issue. For this reason – and to narrow the focus of the lengthy interview questionnaire – I decided to drop this issue from subsequent interviews and from the study as a whole.

participants were shown a document highlighting various bills associated with an issue, they were not asked about their work on each individual piece of legislation.

Overview of legislation

Though the focus of the project is on interest group activity regarding these issues – and not the substance of the legislation – it is worthwhile to provide a brief legislative history about each of the issues selected for the study. The following section provides a brief overview of the three selected issues.¹⁸

Clinton Health Reform: Shortly after his election to the presidency in 1992, Bill Clinton made it clear that health care reform would be a top priority of his administration. The number of uninsured individuals was a major cause for concern. Additionally, the cost of health care services and the amount spent on health care were growing to unprecedented levels. Those responsible for paying health care costs – including the federal government, state governments, and employers – were seeking a way to lower these costs and reduce spending, as were others within the health care community.

Clinton formed a health care task force, headed up by his wife Hillary Clinton and longtime friend Ira Magaziner, to develop a comprehensive policy plan to reform the health care system. Hundreds of policy experts came together to work on the task force and the resulting proposal, known as the Health Security Act (HSA), was released in September 1993.

The new system proposed in the Act was one of managed competition, which is defined as “a health system in which health plans compete with each other according to ground rules set by the government or other third party” (Rovner, 2000:

¹⁸ The majority of the information presented in these summaries was taken from Rovner (2000).

108). The competition between health plans was one of the mechanisms designed to reduce health care costs and keep them at a lower level. In another more controversial effort to reign in costs and spending, the plan proposed placing limits on the amount that insurance premiums could increase each year. In addition to the cost control mechanisms, the Act included a few other key components. To begin, the plan required employers to provide employees with health insurance and to cover a majority of health costs. Small employers that would have a difficult time providing these benefits would be provided subsidies.

Health purchasing alliances were also an important component; under the Clinton plan, they provided the “competition” aspect of a managed competition system. In these alliances, consumers of health insurance would be pooled into large purchasing groups that would bargain with local plans made up of doctors, hospitals, and other facilities. Described as a “quasi-governmental entity,” these alliances would collect the premium payments from employers and employees and then pass the money to the health plans, the role currently held by insurance companies and employee benefit administrators (Wong and Moore, 1993; Rubin et al, 1994). Alliances could be set up as nonprofit corporations or state agencies. “Corporate alliances” would be allowed for companies with more than 5,000 employees so that businesses with employees in more than one state could avoid complicated regulatory schemes; labor unions would also be afforded this opportunity (Rubin et al, 1994).

The cost of the program would fall, in large part, to the employers that were now required to provide coverage for their workers. Additional funding was proposed with a tax on cigarettes as well as a tax on large corporations who elected not to join one of the purchasing alliances. Reductions in Medicare, Medicaid, and other federal health programs would also fund the plan, along with the extra revenue generated through the reduction in health care costs.

Even before its release, the plan sparked a great deal of controversy and received a large amount of negative attention. The “Harry and Louise” ads, sponsored by the Health Insurance Association of America (HIAA), garnered substantial news coverage for its attacks on the Clinton plan. The ads depicted a middle-aged couple puzzling over the complexity of the Clinton plan and worrying what it might cost them. The National Federation of Independent Business (NFIB), staunchly opposed to any employer mandate, also led the opponents’ charge.

Despite all of the attention paid to it, the HSA was not, however, the only proposal regarding health care reform. While the Act was supported by the White House and the Democratic leadership in the House, some Democrats supported a single-payer plan mirrored after the Canadian healthcare system. Under these plans, all bills are paid by a single body, the government in most cases, while care and services are still provided by the private sector. James McDermott (D-WA) and George Miller (D-CA) both sponsored single-payer reform bills in the House during the debate.

Additionally, there were alternative managed competition plans that did not include all the elements in the Clinton plan. The mandates that employers provide coverage were not included; nor were the caps on premium increases or the guarantees that all individuals would be covered. Perhaps the most prominent of these bills was the Cooper-Breaux bill – sponsored in the House by James Cooper (D-TN) – which proposed a plan under which health care providers would form networks and compete for consumers. The bill did not include an employer mandate nor did it require individuals to purchase insurance.

Despite – or perhaps because of – the varying options for reform, none of the legislation ever made it to the House floor for debate. The Senate did discuss a bill on the floor of the chamber, but plans were eventually abandoned prior to the summer

recess. In short, though five bills were reported out of committee between the two chambers, the legislation did not progress any further. Then, the November elections brought the change in party control.

A number of scholars have analyzed the failure of the Clinton reform efforts and a great deal has been written about the politics of the debate.¹⁹ These issues, however, are somewhat beyond the scope of this project. What matters most for this study is that the various interest groups with a stake in health policy – small and large employers, health care providers, and consumers, among others – were mobilized in response to the reform efforts and actively lobbying Congress on the issue. Their work on Clinton health reform took place within the framework of a particular set of rules, norms, and practices in the House of Representatives. By examining how groups conducted their day-to-day lobbying activities under this framework and comparing this work to other issues, we can assess how changes in this framework affect group behavior. The following two issues provide our points of comparison.

HIPAA: In the wake of the failure to pass comprehensive health care reform, many policymakers believed the most appropriate way to enact legislation was to start with a smaller scale of change. That smaller legislation was signed into law with bipartisan support in August of 1996; it was called the Health Insurance Portability and Accountability Act, or HIPAA.

Unlike the Clinton plan, HIPAA did not control the cost of health care. The legislation did, however, introduce a dramatic regulation of the private insurance industry. It also increased the availability of health insurance to the public, but it only impacted a very small portion of the population. The proposal was designed to protect those individuals who were already insured and wanted to move from one group plan

¹⁹ See, for example, Skocpol (1996) and Broder (1996).

to another or move from an individual plan to a group plan. Though this portability provision did not allow workers to take an insurance plan with them when leaving a job, it did ensure that they could change jobs without the risk of being unable to get insurance or having to wait for coverage due to preexisting conditions. The federal legislation simply codified what many states had already made into law in the years leading up to its passage. A law making these guarantees at the federal level, however, reached those insurance plans exempted from state regulations by the Employee Retirement Income Security Act of 1974 (ERISA).

Many analysts have pointed out how few individuals the legislation actually affected. Others have suggested that – despite its small scope – HIPAA has set a precedent for greater federal regulation of the private health insurance market. As Ladenheim (1997) points out, “The passage of HIPAA ends almost a century of federal deference to the states in the matter of insurance regulation, and places them on notice that, even without comprehensive health reform, the federal government may take a more active role in regulating private insurance and health care delivery...” (Ladenheim, 1997: 34-35). Thus, while the results of the legislation may have been less than sweeping, the framework now exists for future federal action.

A large portion of the work on the bill took place in the Senate side of the U.S. Congress in a bipartisan effort spearheaded by Senators Ted Kennedy (D-MA) and Nancy Kassenbaum (R-KS). The House offered multiple versions of the legislation, many of which included a series of provisions supported by in large part by just the Republican Party. Among these provisions was a pilot program for Medical Savings Accounts (MSAs), which are tax-preferred accounts out of which individuals pay for their own health care. Typically, these accounts are supplemented by a catastrophic illness insurance policy that can be relied upon in cases of severe health problems that get costly. MSAs are a controversial aspect of health care reform, and the pilot

program implemented through HIPAA called for a four-year experiment with 750,000 policies available to the self-employed, small employers, and the uninsured. HIPAA also increased the tax deductibility of health insurance premiums for the self-employed and created a program designed to limit insurance fraud. Three prominent players on the issue in the House were Harris Fawell (R-IL), Mike Bilirakis (R-FL), and Bill Archer (R-TX), each a sponsor of various versions of the bill in that chamber.

Finally, a portion of the final legislation included provisions mandating standards for the electronic transmission of health records. The law also called for Congress to pass legislation to protect the privacy of medical records by August 1999. Should Congress not pass such legislation, the Secretary of the Department of Health and Human Services would be able to impose its own standards. Though this privacy provision was not a major issue at the time of the debate over the bills, it is the most immediate and far-reaching consequence of HIPAA. Beginning in April 2003, health care providers were required to make a concerted effort to keep patient information private; the law indicates that sharing information for the purposes of treatment and payment is within reason, but that patients control their personal information in most other cases. Many health providers have had to spend substantial time and money updating information systems and procedures in order to meet the HIPAA requirements. This element of the legislation, then, is perhaps its biggest legacy (Dworkin, 2006).

Patients' Bill of Rights: In the late 1990s, a great deal of attention was paid to the impact of managed care organizations on the health care system. Managed care organizations, including health maintenance organizations (HMOs) and other arrangements like preferred-provider organizations (PPOs) grew in great numbers in the late 1980s and early 1990s. By 1996, more than 75% of Americans holding health

coverage provided by their employers were covered by managed care plans (Rovner, 2000: 105).

These plans differ from the traditional fee-for-service arrangements in which patients are billed for each service given by a health care provider. Typically, in a fee-for-service plan, patients are able to be seen or treated by any health care provider of their choice. Alternatively, a managed care system is one “that integrates the financing and delivery of health care services” (Rovner, 2000: 105). In some managed care arrangements, the organization owns all of the health care facilities and directly employs the workers of these facilities; in other, looser arrangements, the managed care organization has a standing arrangement with certain physicians and facilities to serve patients for a set discounted price. The biggest difference between a managed care plan and a fee-for-service arrangement is the degree to which consumers have a choice in doctors and hospitals. A participant in a managed care plan typically has limited choices in which doctors they may see and which hospitals they may visit to maintain coverage.

Despite their rise to prominence – or perhaps because of it – these organizations received substantial negative media coverage in the latter half of the 1990s. Many news programs detailed cases where patients were delayed or denied care, where mothers and their newborns were required to leave the hospital within 24 hours of delivery, and where doctors were prevented by a managed care organization from discussing all available treatment options with a patient.

In light of this negative attention, and the corresponding decline in the public’s opinion of managed care, lawmakers at both the state and federal levels of government introduced a wide range of proposals to protect consumers. In 1996, President Clinton created a commission on the topic and charged them with the task of evaluating the quality of the care provided. In November of the following year, the commission –

officially named the Advisory Commission on Consumer Protection and Quality in the Health Care Industry – released its report and a proposal for a Consumer Bill of Rights and Responsibilities.

Shortly afterwards, legislators in both chambers of Congress introduced legislation to enact patient protection measures. The bills, known in the Senate as the competing partisan versions of the Patients’ Bill of Rights, sought to regulate the managed care industry in an effort to prevent the “horror stories” reported in the news. In the House, the Republican leadership created a task force, led by Dennis Hastert (R-IL) to study the issue and propose legislation. This legislation, called the Patient Protection Act of 1998, was one of many bills introduced in the House during the 105th Congress. In addition to the GOP leadership bill, John Dingell (D-MI) and Charles Norwood (R-GA) introduced competing versions.

The bills in both chambers contained a number of similar provisions. These included 1) amending ERISA to allow patients denied appropriate care to sue their health plans in state courts; 2) giving physicians final say over health care decisions and preventing health plans from limiting communication between doctors and patients; 3) covering the cost of a trip to the ER if a “prudent layman” would consider the circumstances worthy of emergency care; and 4) requiring that health plans provide internal grievance procedures for patients as well as access to an independent external body for deciding disputes. Like the other bills, the GOP leadership version included provisions for broader access to emergency room care. While their bill would expand patients’ rights to appeal coverage decisions and denials of care, it would not allow those patients enrolled in managed care plans exempt from state regulation to sue these plans under state laws. The bill also included provisions to cap non-economic damages in medical malpractice suits at a certain level and establish

purchasing cooperatives for smaller business to obtain coverage at more affordable rates.

Though the House passed a version of the legislation, the issue eventually stalled in conference committee, only to resurface again in the early 2000s. Two bills were at issue in this second iteration of the debate: one cosponsored in the House again by Dingell and Norwood and a more limited version of reform endorsed by House GOP leaders and the Bush White House (Broder, 2001a). After a number of pressure-packed meetings with the President and White House staff, Norwood agreed to scale back his demands and the two men cut a deal without the consultation of Norwood's House allies (Milbank and Eilperin, 2001). On August 3, 2001, the House accepted the deal presented by Norwood and the president by a narrow vote of 218 to 213. The issue and further progress on the legislation, however, were later overshadowed by the events of September 11th, 2001 (Broder, 2001b).

Discussion of the Legislation

It is worth mentioning the degree to which the legislation selected for the project may affect the conclusions I draw. As made obvious by the above discussion, the selected issues vary on a number of dimensions. First of all, the scope of proposed reforms differs across issues. The Clinton plan sought to completely overhaul the health care system, while HIPAA dealt with the coverage of a very select group of already-insured individuals. Similarly, the patient protection legislation sought to reform the managed care system, but did nothing to provide coverage for the uninsured population; the Clinton plan did.

In addition to the scope and content of the legislation, each issue differed in the attention it received from the public and the mass media.²⁰ The Clinton reform efforts had a constant news presence for the months leading up to the introduction of legislation and afterwards. The Patients' Bill of Rights proposals were also highly profiled, unlike HIPAA. HIPAA, much more technical in nature, was too laden with policy details and specifics; it lacked the mass appeal – and mass consequences – required of a high profile issue. It is quite possible that the varied characteristics just discussed may have as profound an influence on group behavior as congressional organization or a change in House practices and procedures. This fact certainly weighs in on the analysis presented in subsequent chapters.

Lowi (1972) argues that policy causes politics. He asserts that, instead of examining public policies by their substantive characteristics—agricultural policy or fiscal policy, for example—they should be looked at through the lens of state power: what type of action is the government taking, and how does it relate to the citizen affected by the policy? Is the government directly coercing individual behavior, or is it reallocating resources among classes of people, for example?

Lowi's typology identifies four distinct forms of public policy: distributive, regulatory, redistributive, and constituent. His conclusions are straightforward: the politics surrounding a policy will depend on the *type* of policy that it is (Lowi, 1985). The nature of conflict and debate over a policy will be consistent with the manner in which the state's power is applied, regardless of the issue area.

Thus, it is useful to consider how the state planned to apply its power in the cases selected for this study. Most of the provisions in HIPAA and the patient protection legislation were clearly regulatory; in both cases, the federal government

²⁰ It is worth pointing out, however, that the attention an issue receives is often a direct function of interest group activity. Groups who may benefit from national attention to an issue often seek to increase media coverage and promote public awareness.

sought to control the behavior of insurers and managed care plans. Given its multiple goals and provisions, the Clinton plan is harder to categorize. Some of the elements, such as the cigarette tax designed to fund parts of the plan, are redistributive in nature; the money collected from these individuals would be going to subsidize the health care plans of others. By setting standards for benefit provision, the plan was regulatory, seeking to impose standards on employer plans. Also, the creation of health purchasing alliances was constituent in nature, creating a new governing body through which health care is organized. Depending on the specific aspect of the legislation, the Clinton plan could fall into a number of categories.

According to Lowi's framework, these uses of state power should have an influence on how the politics – including interest group activity – develop. Since each selected topic has regulatory components, I assume that the politics surrounding them would be somewhat similar. As such, the comparisons of group behavior in the pre- and post-reform periods should be worthwhile and indicative of how varied institutional arrangements – instead of varied uses of state power – in the House of Representatives can affect organizational activity.

Despite a few drawbacks, the issues selected for study offer a ripe opportunity for analyzing group behavior. No two issues are ever the same in content, nature, or politics; thus the potential pitfalls outlined above would exist with any selected issues. Additionally, the legislation described above are among major health initiatives of the 1990s – a time period which has been selected for reasons already described in detail. Given the prominence of each of the three issues, it is reasonable to assume that many types of interest groups were mobilized to lobby the House. Since the study requires comparison of group work across legislation over time, it is important that most groups have worked on each of the selected topics. The prominence of these issues helps to ensure that this is the case.

The Interest Groups

Selection methods

An important first task of the research was to identify a distinct set of groups suitable to discuss their work on the legislation described above. In order to identify these groups, I relied on *Washington Representatives*, an extensive annual directory of interest groups and lobbyists.²¹ Each edition of the directory provides an index in which companies and organizations are arranged by their industry or area of legislative interest. To identify the relevant universe of groups, I generated a list of each group included under the following subject headings: Aging, Dental, Employees & Employment, Government, Health Care and Medicine, Hospitals & Nursing Homes, Insurance Industry, Labor, Mental Health, Nursing, Small Business, and Social Welfare. These categories encompass a wide range of groups, each with potential interests in legislation on private health insurance.²²

I generated a list of all groups in these categories in the editions of *Washington Representatives* published four years prior to the Republican reforms and four years afterwards; that is, 1991-1998. *Washington Representatives* outlines the following criteria for inclusion in the directory: “persons working to influence government policies and actions to advance their own or their client’s interests” (*Washington*

²¹ *Washington Representatives* is published every May and the yearly updates are conducted in the first few months of each year. The editors of the book describe it as a “snapshot” of who represents a group at the time the updating is done. The directory’s publisher, Columbia Books, confirmed that each year’s entries in the directory were those individuals who worked on behalf of the group during that year and not the previous one. Since updates are made during the early months of each year, the representatives listed are most likely the lobbyists who worked for a group that calendar year. While there is substantial employee turnover at these organizations, it is reasonable to assume that these annual directories give a full list of the individuals who worked for each group, each year. Over the course of scheduling the interviews, I never got the sense that gaps in this directory had undermined my efforts to generate a list of the relevant group representatives.

²² I chose to include the Government section of the Index in my search for relevant groups because the health care debate is closely linked to issues of federalism and the division of responsibility for citizen health care between the state and federal level. The Government section of groups, however, included local cities, municipalities, and villages, as well as foreign governments. These groups are less involved in debates over health care and were subsequently removed from the final list of groups.

Representatives, 1991, 3). The authors note that, “[The directory’s] scope was deliberately made broad in the belief that the forces at work are more diverse and extensive than those engaged in lobbying as such. It is intentionally a book about all advocates on the Washington scene” (*Washington Representatives*, 1991, 8).²³ Given these criteria, the list of groups obtained using this method is a comprehensive one. A total of 3,571 groups were listed in *Washington Representatives* in the relevant categories at some point from 1991-1998. Of these, 613 groups appeared in the directory every year.²⁴

This study is based on qualitative interviews with lobbyists working on behalf of advocacy groups concerned with health policy. Given this research design, the list of 613 groups was narrowed down to 46, a more realistic number for interviewing purposes. I selected these groups for a number of reasons.

First, they represent a realistic cross-section of organizations with an interest in health policy, specifically private health insurance. The 46 groups can be divided into ten categories based on their stake in health legislation: medical professionals (3 groups), the insurance industry and independent insurers (6), large employers (3), small businesses (4), labor (2), the elderly (2), hospitals and healthcare facilities (6), public interest and social welfare organizations (3), groups concerned with federalism (3), and finally, a miscellaneous category (2).²⁵ Of the 46 groups targeted for the study, I was able to gain access to 34, giving me an organizational response rate of

²³ For individual organizations like those that are the focus of this study, *Washington Representatives* sends an annual survey asking each group for the names, positions, and contact information of its employees.

²⁴ Over the course of eight years, many groups may have changed their names or undergone mergers with similar organizations. A list of groups potentially subject to this problem was generated and checked in detail using the *Washington Representative* addresses, descriptions, and staff listings, thus limiting the number of groups erroneously eliminated for not appearing in each of the eight years under study.

²⁵ See Wright (1996), pages 22-30, for a discussion of various interest groups categories: trade and professional associations, corporations, labor unions, citizen groups, intergovernmental groups, and charitable and religious organizations. With the possible exception of the latter category, each of these group types is included in this study.

73.9%.²⁶ In the case of six groups, I was only able to speak with a lobbyist who worked at the organization during part of the eight years included in the study; excluding these groups drops the organizational response rate to 60.8%. The partial groups, however, were not excluded from the analysis presented in subsequent chapters.²⁷

Appendix I provides a list of the final 34 groups included in the study. Taken together, they constitute a microcosm of the groups working on health policy: those who provide health care and expect payment in return, those who offer insurance to employees, those who sell insurance to individuals and employers, and those who represent specific populations like consumers, the elderly, and even the uninsured. All of these actors are represented in the project, helping to provide an accurate picture of the groups working on health policy.²⁸

The selected groups also demonstrate substantial variation on a number of important characteristics, including those traits that may influence lobbying behavior. The sample includes very large groups with substantial budgets and staff support. Smaller groups with fewer financial and personnel resources are also represented. Additionally, the groups are diverse ideologically and vary on the strength of their

²⁶ Please note that I have calculated the rate of response from organizations, not from individual lobbyists. I contacted a large number of lobbyists who I did not hear back from. In many cases, though, I had a number of names associated with an organization; if a person did not return my repeated calls or emails, I tried the others from my list.

²⁷ The following groups are not represented on all three issues: AFL-CIO, U.S. Chamber of Commerce, Health Insurance Association of America, National Association of Health Underwriters, National Governor's Association, and the National Health Council. In most cases, I was simply unable to get a response or appointment from the lobbyist(s) identified with an issue.

²⁸ An important omission from this list is the group known as America's Health Insurance Plans (AHIP), which is the largest trade association representing the health insurance and managed care industries. This group formed in the mid-1990s after the merger that created the American Association of Health Plans (AAHP) from the Group Health Association and the American Managed Care and Review Association. Despite repeated emails and phone calls to current and former employees, I was unable to schedule an interview with this group. The managed care industry is not completely left out of this analysis, however. Lobbyists for the Health Insurance Association of America – which represented a large number of health insurers and later merged with AAHP to form AHIP – were interviewed and their comments are included here.

alignment with the two political parties. These group characteristics are discussed in greater detail in the following section.

Finally, the selected groups include those identified by the author as key players in health legislation. Based on my knowledge of the interest group community and health care policy more generally, I selected these groups to ensure that the most important players would be included. A random sample of groups from the 613 identified using *Washington Representatives* may have omitted the most prominent of these organizations.

An important final note is that the groups selected for the study are just that: groups. While the final *Washington Representatives* list of 613 groups included a large number of corporations, especially large insurance companies, they were left out of this study. Instead, the project focuses exclusively on associations that work independently to represent their members' interests. While the lobbyists employed by large corporations were not interviewed, groups that these companies belong to, such as the American Association of Health Plans or the National Association of Manufacturers were included.²⁹ Private lobbying firms – admittedly a powerful segment of the lobbying community – are also excluded from this study. This project examines how the work of independent advocacy groups is subject to institutional changes in the House of Representatives. It is reasonable to expect that the work of these groups would be qualitatively different from the work of private lobbying firms and the in-house lobbyists for large corporations. For the purpose of providing a comprehensive analysis, this project focuses only on independent advocacy groups, at the expense of other lobbying operations. Certainly, institutional change in the House could affect the behavior of these other actors, but they are not examined here.

²⁹ See Hart (2004), however, for an argument to look at individual firms.

The goal of the study is to illuminate how various groups approached health policy before and after the Republican Party made substantial changes in the House of Representatives. The conclusions presented in the pages that follow simply provide one possible description of how groups can react to institutional changes in the House; no broad theoretical assertions are made. While the analysis presented below may provide insight into similar cases, the project does not make any claims that its results are entirely transferable to other historical eras of institutional change in the House or to other segments of the interest group community. Thus, the sampling procedures outlined above are well-suited to the limited scope and ambition of the study.³⁰

Overview of groups

What follows is a brief overview of the important characteristics of the selected organizations. The data was obtained in two ways. First, I relied on the information presented in two interest group directories: the *Associations Yellow Book* and the *Encyclopedia of Associations*.³¹ The data on group partisanship was taken from the interviews with each group's lobbyists.

As discussed above, the groups selected for the study represent a wide range of interests regarding health policy. In addition to the diversity of interests represented, the groups also vary across a wide range of other traits. All of the groups here – with

³⁰ One possible criticism of this sampling procedure is that it leaves out the ad hoc coalitions that may have formed around an issue, but dissolved shortly thereafter. Admittedly, many of these groups may have been influential in the legislative process. The goal of the project, however, is to see how groups reacted to changes in congressional procedures and practices. Since ad hoc coalitions are not active over time on more than one issue, including them would do little to answer the research question at hand. Also, many of the groups that would likely join these coalitions are represented.

³¹ While *Washington Representatives* was very useful in identifying who worked on behalf of the organizations, it did not provide comprehensive data on the groups included in the directory. In order to obtain this information, I had to rely on these other directories. I obtained data for each group for each year under study, 1991-1998, and generated an average value across these years on a number of characteristics for each group. In some cases, no data was provided in one of the categories or years. They are simply treated as missing data here. The Physician Insurers Association of America was not listed in either directory; the data used here is current information taken from the group's website.

one exception – are membership groups. While some groups represent individuals, the membership of others is comprised of companies, small businesses, or healthcare facilities. Only Families U.S.A., a healthcare consumer advocacy group, does not have any sort of membership.

Groups with individual memberships exhibit a wide range of sizes. The National Governors' Association – which consists of the governors of all 50 states and the American territories – has only 55 members, while the American Association of Retired Persons boasts over 31 million. The median group size is 65,000 members. Those groups with organizational memberships vary in size as well. In this category, the median group size is just over thirteen hundred. The National Assembly of National Voluntary Health and Social Welfare Organizations, now known as the National Human Services Assembly, has only 36 member organizations, while the National Federation of Independent Business has just under six hundred thousand.

The average number of years the groups have been in existence is sixty-six. The youngest groups – the Blue Cross Blue Shield Association and the National Association for Home Care – have been around for 25 years, while the longest – the American Medical Association – has been organized for one hundred and sixty.

Groups were also categorized according to two measures of their resources: staff size and annual operating budget. The smallest staff belongs to the ERISA Industry Committee, which has an average of 7 employees a year. The Chamber of Commerce, alternatively, employs just under 1,240 people. The average staff size is about 260 and the median is 92 employees.

A group's budget is an important measurement of resources as well. Groups with significant funds can pursue a wide range of strategies and may have greater clout than small, less well-funded organizations. A more detailed discussion of these consequences is pursued in subsequent chapters. The groups selected for this study

vary a great deal on this characteristic. The average annual operating budget across all 34 groups is just over \$24 million, while the median is \$12 million. The American Medical Association has the most resources with over \$176 million, while the National Association of Public Hospitals operates on \$500,000 a year.

The groups also represent a diversity of party orientations. Lobbyists were asked whether or not their organization tended to align itself with one party more than the other. According to these respondents, 14 of the groups claimed to be strictly nonpartisan. Seven tend to find themselves in alignment with the Democrats more often, while 12 gravitate toward the Republican Party. It is worth noting, though, that many of the respondents stressed the importance of working with both parties.

Of the 47 lobbyists asked about partisanship, twenty-seven elaborated on their responses by pointing out that the group tries to avoid appearing partisan or works hard to achieve bipartisanship for a number of reasons. Some groups have a politically diverse membership that spans both parties, while others tend to focus their work on certain geographic areas instead. Many lobbyists stressed that the issues on which their group works cannot be neatly divided into party lines. Still others pointed out that legislative votes are always needed to accomplish their goals, irrespective of party. Along similar lines, some respondents highlighted the importance of working with moderate members of the opposing party or educating undecided legislators. The lobbyists also stressed that majority control of the House has a more profound effect on their legislative work than partisanship. This concept is fleshed out in detail in later chapters. All in all, despite the propensity of some groups to align themselves with one party or another, the lobbyists' responses highlighted the importance they placed on pragmatism and practicality in dealing with legislators on Capitol Hill.

The data presented above demonstrates that the groups included in the study represent a diverse set of interests as well as a great deal of variation on other

important characteristics. The following section describes the lobbyists interviewed as representatives of each of these groups.

The Lobbyists

Selection and contact methods

For each of the groups selected, I identified the person or persons most responsible for legislative affairs work from 1991 to 1998, using the *Washington Representatives* directory for each year.³² Since the study spans eight years of legislation, for many groups it was necessary to speak with more than one individual to cover the entire time period. Given that there is substantial job turnover within the lobbying industry and many years have passed, I also located where these individuals were currently employed. While many still worked for the same office, others had moved on to other organizations.

For my first step in this process, I looked through the most recent edition of *Washington Representatives* for the names I had collected.³³ I also utilized the Leadership Library, a cumulative online database of the various *Yellow Book* publications, including the Government Affairs and Federal Employees directories. If I could not locate an individual in either of these sources, I relied on the online search engine Google. By typing in a lobbyist's name, and sometimes the name of the organization for whom they formerly worked, I was able to locate up-to-date contact information for the majority of names on the list.

In some cases, I was only able to identify an individual's place of employment during the intervening years. I then placed a call to this organization to request the

³² These decisions were based on each individual's job title as listed in *Washington Representatives*.

³³ At the time, the most recent edition was the 29th (2005) edition.

current contact information for that lobbyist. In those cases where I was unable to find the information, I called the original employer and asked for contact information.

In addition to relying on the *Washington Representatives* directory, I also interviewed a few lobbyists who had been referred to me by earlier participants. This method, called snowball sampling, helped to supplement my own research as well as fill in gaps for those organizations for which I could find no contact information for lobbyists. Using all of these methods together, I was able to locate virtually all the lobbyists I had identified and who could together provide a complete picture of the lobbying behavior of each group selected for the study.

The first contacts, via email and phone, were made in August 2006, with follow-up contacts made throughout the fall. Overall, I included 34 groups in the study and interviewed 47 lobbyists. The interviews were conducted between August 2006 and January 2007. I conducted face-to-face interviews with 32 lobbyists during three trips to Washington, D.C. in the fall of 2006. In those cases where the lobbyist was no longer living in Washington, D.C. or its surrounding communities, a phone interview was conducted in lieu of an in-person meeting. Additionally, some Washington-based lobbyists were interviewed over the phone. All in all, phone interviews were conducted with 15 lobbyists; these took place between October 2006 and January 2007.

The interview subjects were guaranteed confidentiality in their responses and assured that their comments would not be directly traceable back to them or their organizations. They were, however, aware that the name of the organization for which they worked would be included in any manuscript or publication of this study. All face-to-face interviews were audio taped and notes were taken as well. Each of these interviews was conducted one-on-one with the exception of three. In these cases, I interviewed two people at once about their work at the same organization. The phone

interviews were not taped, but extensive notes were taken. The following section provides a brief picture of the interview subjects.

Overview of lobbyists

At the beginning of each interview, the lobbyist was asked a brief set of questions about their work with their organization. The first of these questions asked how long they had worked with the group. The mean response was 13.9 years and the median was thirteen. The shortest number of years worked for a group was just two, while the longest was thirty-three.

Respondents were also asked to describe the various job titles they held at the group as well as their responsibilities. At their highest position, forty-two respondents held jobs at the level of Director or Vice President of Government Affairs (or similarly-named departments); ten held positions as department lobbyists.³⁴ Finally, lobbyists were asked about their participation in planning the group's legislative strategy. Respondents ranked their involvement on a scale of 1 to 4, with 1 indicating no involvement and 4 indicating extensive participation. The mean level of involvement was 3.8, with a median of four. Only one respondent gave an answer of two; the rest were three or higher.

Taken together, this data indicates that the respondents interviewed for the study were actively involved in the lobbying decisions of their organization. Additionally, many had worked on their group's behalf for a number of years. These characteristics suggest that their assessments of their group's behavior and its response to changes on the Hill should be well-informed and accurate, adding validity to the results presented in subsequent chapters.

³⁴ Four of the lobbyists interviewed had worked for two or more of the groups included in the study. In these cases, the respondent's answers for each group were entered into the dataset as if they were unique individuals. Thus, the numbers presented here add up to 52, not 47.

The Interview

Appendix II provides the final version of the questionnaire used in the interview.³⁵ The interview began with a brief series of question about each lobbyists work with his or her organization. The interview proceeded with set of questions about the group's general approach to lobbying. After these introductory items – designed to provide a point of comparison across different groups – I broached the subject of the group's work on the legislative issues selected for the study.

In order to understand how interest groups responded to the changes in House practices and procedures, I took two approaches in the interview. First, I asked a series of questions on how each lobbyist and their group worked on the three issues described above.³⁶ For each topic, I asked the same series of questions. The goal was to uncover a number of facts: 1) how each group viewed key players in the legislative process – such as party leaders and committee or subcommittee chairmen; 2) how much the group valued certain institutional characteristics of legislators; 3) whether and how much groups valued its work with the committee system relative to party leadership; and 4) how the group decided among various approaches to lobbying, both inside the Beltway and out.

³⁵ Over the course of my trips to Washington, D.C., I made minor changes to the interview questionnaire. During the first trip, I went through a detailed survey with each respondent, asking them to rank-order various answers to my questions. This approach created a few problems, however. First, I found it very difficult to get the lobbyists to stick to the survey. When respondents deviated from the instrument, it meant that I ran out of time to complete it in its entirety. Many lobbyists wanted to clarify their answers by modifying or changing the options I had provided on the survey. I also realized that many of my questions were redundant and therefore unnecessary. Finally, and most importantly, I found that I got the most interesting and insightful comments from lobbyists when they deviated from the detailed survey I had given them. Based on these initial experiences, I decided to use a less rigorous interview document during subsequent interviews. The remaining 25 face-to-face interviews and all of the phone interviews were conducted with the version provided in Appendix II.

³⁶ Not every person I interviewed was asked about all three issues. Some of the lobbyists with whom I met only worked at an organization for one or two issues. Thus, each lobbyist spoke only about their personal experience with an issue. In some cases, it was necessary to talk to more than one lobbyist to assess a group's strategy on all three issues.

By comparing how groups approached the Clinton plan prior to the House reforms with their approach to HIPAA and the patient protection initiatives after the changes, I was able to get an objective sense of how they modified their lobbying behavior.

Secondly, I directly asked each lobbyist how the changes implemented by the GOP in the 104th Congress affected their approach to lobbying, if at all. After asking how closely the group followed House procedure and the work of the Rules Committee, I showed each respondent a list of the reforms introduced in the House. I asked how the group responded to the changes, either individually – such as how committee term limits affected the group’s work – or when taken together – such as the general shift in power away from committees to party leadership.

In addition to the questions described above, I also asked how the group made campaign finance decisions. The answers to these questions are assessed in Chapter Five, which covers how the House reforms affected campaign finance donation behavior.

One concern that arises from focusing on the legislation described above is that a number of years have transpired since the events under study. The passage of time – and the political events that have taken place in the meantime – may have influenced respondents’ answers. This is admittedly a weakness of the research design, but an unavoidable one. There are substantively important reasons for selecting this time period and these issues; this research design is best suited to answering the questions posed in the project. The concern that the lobbyists offered retrospective evaluations was not sufficient to alter the design of the project.

In order to alleviate possible memory problems, the interview instrument included a brief overview of the key bills associated with each issue. Respondents were given a moment to briefly review the legislation; they were also encouraged to

refer back to these documents during the course of the interview if any questions or memory problems arose. (See Appendix II for these legislative summaries).

All respondents – whether interviewed face-to-face or over the phone – were presented with a copy of the questionnaire during the interview. For those conducted in person, I provided each respondent with a version of the document to refer to during our conversation. Phone interview respondents were sent a copy of the questionnaire electronically and asked to have it with them during the interview.

In being shown the questionnaire, each interview respondent was also provided with a list of possible responses to the questions asked. Critics of this approach may suggest that presenting these options could influence how respondents answered the questions, leading them to leave out any potential responses not included. Though presenting these lists may have had a small influence, the value of including these options outweighs the minor drawbacks. As mentioned above, the fact that the time period under study was over ten years ago is a cause for some concern. This potential problem, however, provides a strong justification for providing the lists of possible answers. By providing each interview subject with a list of the key members of party leadership and the chairman of relevant committees and subcommittees, I was able to refresh their memory of which legislators held these key positions. Without this sort of prompting, some respondents may have left out possible outcomes.

The lists provided were rather comprehensive. The leadership of both parties and the chairmen of the House committee and subcommittee with jurisdiction over health insurance policy were provided for the question about which legislators the group viewed as important. A wide range of strategies were listed under the question designed to elicit how a group planned its overall approach to each issue. Were respondents required to answer the questions without these options in front of them, many of them may have left out important characteristics simply because there are so

many to consider. Providing a list of possible responses helped to guide the discussion and ensure that respondents were considering all possible answers. Thus, the benefits of including these lists in the interview instrument made doing so worthwhile.

The interviews were typically conducted in the workplace offices of each respondent, though one took place in a restaurant. The length of the interviews varied from 20 minutes to one hour and forty-five minutes. This wide range exists for a few reasons: first, some respondents had worked at an organization for all three issues under study. This meant I had to cover the entire interview questionnaire with one person. Interviews with lobbyists who had only worked for a group on one or two issues were much shorter for obvious reasons. Second, some respondents were far more willing to elaborate on their answers and also on topics not entirely germane to the project. Thus, the variation in interview length is also attributed to the different personalities of those interviewed, the various willingness of a lobbyist to talk about their work, or their interest and reflection on the topic under investigation.

This chapter has been devoted to a detailed discussion of research design and the interview instrument. The remarks presented above help to frame the results presented in the following chapters. What follows is a detailed analysis of how interest groups responded to the changes in House norms, practices, and procedures.

PART I:
CHANGES ACROSS THE MODES OF INFLUENCE

Table 4.1 briefly summarizes the results presented in Part I of the dissertation, which deals specifically with the consequences of strong majority party control. In particular, the strengthening of majority party leadership changed the ways in which groups selected *across* the three Modes of Influence.

Table 4.1, Changes across Modes of Influence

Groups Adjustments in General	
<ul style="list-style-type: none"> Groups sought to bolster their organization with GOP connections and increase overall access to the new majority party leadership Groups with an interest in bipartisanship and groups at odds with the House majority leadership spent more time working with the Senate Campaign contributions to committee chairmen slightly decreased when the committee system lost its autonomy 	
Effects of Group Partisanship	
<ul style="list-style-type: none"> Groups lacking ready access to majority party leadership renewed their emphasis on Indirect Influences Nonpartisan groups and Republican-leaning groups increased their contributions to majority leaders when these individuals became more powerful 	
Effects of Group Resources	Effects of the Nature of the Issue
<ul style="list-style-type: none"> Smaller groups are more likely to go along with larger groups in coalitional-type work, regardless of institutional context 	<ul style="list-style-type: none"> Indirect influences are less essential on technical issues or those without mass public appeal, regardless of institutional context

The effects of the reforms were filtered through three other important influences on group activity: group partisanship, group resources, and the unique nature of each issue. The specific changes outlined above are addressed in detail in Chapters Four and Five. They have been provided here for readers to use as a roadmap of the analysis to come.

CHAPTER FOUR

INDIRECT INFLUENCES AND OTHER BRANCHES

Earlier chapters described the ways in which the new Republican majority altered the institutional arrangements to strengthen the majority party's control over the House agenda and its individual members. In this chapter, I discuss the ways in which stronger majority party control influenced interest groups within the health policy community.

For many groups, these reforms affected their choices among the Modes of Influence. Groups with policy goals at odds with the new Republican majority found that the direct lobbying Mode of Influence was no longer a viable option in the House. To counter their lack of access and their ineffectiveness in this chamber, groups renewed their emphasis on methods of Indirect Influence by drawing more regularly on their membership, working in coalition, and using the press as a resource. Additionally, groups of all partisan persuasions increasingly valued their work with the more moderate and decentralized Senate; many organizations concentrated their efforts on this chamber instead.

Renewed Emphasis on Indirect Influences

Certain groups responded to the reforms of the 104th Congress by renewing their emphasis on the use of Indirect Influences. As described in Chapter One, this Mode of Influence includes generating grassroots support by contacting group members; advertising in the mass media and local Washington, D.C. outlets; and working as part of a coalition with other interest groups. One of these tactics, grassroots mobilization, is discussed at length below. Other indirect influences – including coalition work and the use of the press – are also addressed.

Grassroots and Grasstops Mobilization

Grassroots work is an important part of any interest group's strategy to influence legislation. Goldstein writes, "Although there is no real formal definition of the tactic, popular and scholarly accounts alike consider grass roots or outside lobbying to be any type of action that attempts to influence inside-the-beltway inhabitants by influencing the attitudes or behavior of outside-the-beltway inhabitants" (Goldstein 1999: 3). Attempts to influence members of Congress can include a wide range of activities.

Schlozman and Tierney (1986) suggest that a group's grassroots efforts can be used to influence public opinion in its favor on a given issue; they can also be used to mobilize the group's supporters to demonstrate their support for a policy position. The authors point out that, in many cases, grassroots work is not intended to appeal to the public at large but instead to a group's membership who is most likely to be affected by a particular piece of legislation. They write, "when politicians regard the public's preferences, what often matters to them is not an amorphous perception of the views of the general public but, rather, that there is a narrower group of citizens who care intensely about a policy matter and are likely to act on their views" (Schlozman and Tierney 1986: 184).

Though there are many organizations in Washington, D.C. that protect the public interest writ large or serve as a watchdog for consumers, the vast majority of organizations are designed to represent a small segment of the population with well-defined interests. Trade associations are an excellent example of this sort of group. Wright (1996) provides a few examples of these groups: in the early 1990s, the American Bankers Association lobbied to allow banks to open branches in more than one state while the Association of Trial Lawyers fought to protect the status quo provisions of product liability laws.

Interest groups concerned with health policy are no different. During the Clinton health care debate, the National Federation of Independent Business (NFIB) was one of the legislation's major opponents due to its staunch opposition to the plan's mandate that employers – including the small business owners represented by the NFIB – provide health insurance for their employees. To capitalize on their large membership, as one respondent reported, the NFIB sent out a four-page document to its 600,000 members outlining the Clinton plan. The mass mailing included a section in which NFIB members could calculate the costs they would incur under the Clinton plan if it were passed; members were encouraged to mail this document to their Congressman. Certainly, 600,000 constituents contacting Congress with their opposition to the plan – and its exact cost to their businesses – sends a clear message to legislators.

Understandably, these sorts of activities have a powerful influence on legislators; thus, groups tend to regard grassroots strategies among their most valuable tools. As one lobbyist interviewed for this study said: “Grassroots is a key lobbying strategy on most of the issues we work. The group works for our members and they are the ones who can make the best connections [with legislators in Congress].”

An important distinction worth noting is the difference between grassroots and grassroots mobilization. Grassroots mobilization differs slightly from grassroots mobilization based on the type of constituent targeted. While grassroots can include any citizen or member of an organized group, grassroots typically refers to community leaders or those individuals who are among the most prominent of a legislator's constituency. This can include local elected officials, community business leaders, prominent doctors or lawyers in the district, local hospital administrators, and so on. Often, these local leaders have professional and personal relationships with their member of Congress. Interest groups that count these local leaders among their

membership rely on such connections as a means of both access and influence to Congress. For example, one group interviewed for this project had a “Key Contact Program” that the group used in its grassroots efforts. The program consisted of a list of group members who were local leaders on a first-name basis with their representative in Congress. On those issues that the group sought grassroots support, the group would provide these key contacts with sample letters to send to the Congressman and important talking points regarding the issue.

Groups tend to find these sorts of indirect contacts especially effective and often prefer them over direct lobbying. As one lobbyist said about his group’s work on Clinton health care reform, “There were many different parts of the Clinton plan, so we used lots of strategies. Our grassroots efforts focused on getting [our members] mobilized around certain issues in the plan – this was a more effective strategy than using just our [on-staff] lobbyists.” Another lobbyist remarked, “The group’s members are always our best lobbyists.” In short, groups do their best to leverage their members’ relationships with members of Congress into legislative success.

Overall, grassroots and grasstops mobilization work is an important part of the any group’s strategy. Of the 34 groups interviewed for this project, 33 were asked a battery of questions regarding the group’s overall use of the various Modes of Influence.³⁷ Respondents were asked the following: On a scale of 1 to 5 – with 1 meaning “never” and 5 meaning “very often” – how often does your organization contact constituents in an effort to generate grassroots support? The mean response was 4.4 indicating that, on average, the groups tend to rely on this strategy often or very often.

³⁷ Due to time constraints, the interview with the Small Business Council of America was cut short and this series of questions was omitted.

For many groups interviewed for this project, though, the reforms introduced by the Republican Party in the 104th Congress had an effect on the relative importance of grassroots mobilization as a strategy. Stronger majority party control meant stronger party discipline and a narrower legislative agenda. It also meant that many groups with legislative goals at odds with the new majority had limited access to the GOP leadership in the House that – as noted – exercised substantial control over the agenda and the content of legislation.

As one lobbyist for a trade association and union noted, “The group’s partisanship made a difference. We were never going to be an inside part of the Republican leadership.” Another pointed out that the increased animosity between the political parties influenced the amount of access groups could have to their political opponents. He remarked, “People were more shutout from the process because it was so partisan. [The mentality was] you’re with me, or you’re the enemy.”

Under the Democratic majority, certainly, it was also true that some groups had easier access to the agenda setters than others. One lobbyist for a Republican-leaning group noted the contrast when discussing her preparation for testifying on the Hill after the Republican takeover:

[Prior to 1995] we were being called to testify by the Democrats, so we were prepared for adversarial testimony. After the change [in party control], though, testifying was different. My initial thought was who to send [to Capitol Hill] as a sacrificial lamb, but a [Hill] staffer reminded me: ‘You forget. We’re in charge now. We’re your friends and we’re not out to get you.’

Naturally, the leadership of any party is more likely to meet and work with those groups with which it agrees. Yet, for the reasons described above, the post-1994 Republican majority exercised a control that was not typical of other recent majority leaders. Under these circumstances, and the increasingly partisan climate, opposition

groups had even less access or opportunity to influence legislation through traditional direct lobbying methods.

One lobbyist for a nonpartisan group pointed to the strict party discipline as a challenge for the legislators themselves: “Members [in the post-1994 Congress] are in a harder spot, having to decide between party discipline and what works for their particular jurisdiction. But party discipline is important in terms of a members' standing, their ability to move up in the committee process, their funds for reelection...” Statements such as this indicate that lobbyists recognized the constraints placed on legislators, especially Republican ones, under the new institutional arrangement. As a result, this respondent pointed out, “Our ability to impact [legislation] changes.”

Democratic-leaning groups in particular – or those simply perceived to be Democratic-leaning – found their direct lobbying efforts to be less influential. Under these circumstances, groups were forced to rely more on their grassroots resources. Since these organizations were not granted access to majority party leaders – who, in the post-1994 Congress, were the most powerful shapers of legislation – they had to rely on other means of influence, especially grassroots and grassroots mobilization. One lobbyist who worked for a group he identified as bipartisan said the following, “On the Patients’ Bill of Rights issue, we ran into a lot of opposition from the GOP leadership, so we had to put a lot of our resources into grassroots participation.” The head of a small Democratic-leaning group offered similar remarks about her group’s work on the Health Insurance Portability and Accountability Act: “On HIPAA, we had limited ability to work with the majority. Grassroots efforts started taking on more significance at this time period.”

This trend was not entirely unique to those groups typically aligned with the Democrats, however. A common theme across the interviews was that an interest

groups' work on Capitol Hill extends far beyond the bounds of partisanship. Many groups, particularly those concerned with a wide range of issues, may align themselves with either of the political parties, depending on the issue under consideration. For example, the Catholic Health Association represents Catholic health care systems and facilities. On issues of poverty and social justice, the group tends to find itself in agreement with the Democratic Party; on matters concerning abortion practices and procedures, however, the group finds a home with many Republicans. Though this is just one example, the trend to cross party lines on an issue-by-issue basis was evident in many of the interviews. Thus, though the problem of limited access was most prevalent among groups with a tendency to align with Democratic priorities, other less partisan groups were similarly affected; many stepped up their grassroots efforts as a result.

Understandably, the opposite was also true. Republican-leaning groups found natural allies and easier access in the post-reform House. A representative from a small organization – one that focuses almost exclusively on a party-line issue and aligns itself with the GOP – said,

The party control [after the 1994 elections] mattered a great deal. It was much harder to lobby our issues when the Democrats were in control...When the GOP took over, the group got a lot more access and could get legislation through now that the majority party – who controls the agenda – was on our side. [Favorable] legislation has passed the House ten times since 1995.

Thus, as a result of the Republicans being in the majority, many groups who lacked access to the leadership in previous Congresses were now among those favored by party leaders.

Each lobbyist interviewed for this project was asked to discuss the range of strategies used by their organization on the three issues under consideration: Clinton health reform, HIPAA, and the Patients' Bill of Rights debate. For the specific

question, see Appendix II. Respondents spoke freely about the tactics their group pursued on each issue. Based on my understanding of their response, each lobbyist's answer was coded on a scale of 0 to 2 representing the degree to which the group engaged in grassroots mobilization on each issue. A value of zero indicates that the respondent made no specific mention of grassroots work on an issue, a score of 1 suggests that grassroots tactics were somewhat important to the group, and a 2 indicates that grassroots mobilization played a prominent role in an organization's overall strategy on an issue.

Table 4.2 presents the average grassroots score across the three categories of group partisanship. The second column lists the average value before the House reforms – and thus before the stronger party control – while the third column provides the post-reform means.

Table 4.2, Mean Grassroots Scores Pre- and Post-Reform, by Party
(Standard Deviations in Parentheses)

Partisanship	Pre-reform	Post-reform	Difference
Democratic-leaning ¹	0.86 (0.90) N=7	1.4 (0.89) N=5	+0.54
Nonpartisan or Bipartisan	1.5 (0.65) N=14	1.5 (0.71) N=18	0
Republican-leaning	1.45 (0.82) N=11	0.81 (0.68) N=21	-0.64

¹The smaller number of Democratic groups does not necessarily reflect a smaller number of Democratic groups within the health policy community. The sample sizes are simply a function of those lobbyists who were willing to meet with me and with whom I could schedule an interview.

Though the standard deviations are rather large, the values presented below indicate that after the 1995 reforms Democratic-leaning groups stepped up their

reliance on grassroots mobilization. The average value increases by roughly half a point. Likewise, groups with a tendency to align themselves with the Republicans – which, after the reforms, had more ready access to House power players – decreased their reliance on grassroots work from an average of 1.45 to 0.81, a difference of 0.64.

Similar results appear when the data is examined issue-by-issue. Table 4.3 provides the mean lobbyist responses for each of the three issues about which they were asked. The results here provide an opportunity to discuss how the nature of an issue can influence grassroots strategy as well. Issues vary on a wide range of characteristics, including the scope of the changes proposed by the legislation and how much attention it receives from the mass media. Similarly, the amount of attention the public pays to an issue varies over time. Whether an issue is driven by policy details or ideological arguments is important as well. Each of these issue-specific characteristics can mitigate the effects of the House reforms described above.

In Table 4.3, we see how the circumstances surrounding HIPAA made a difference in grassroots mobilization strategy. To begin, far fewer groups worked on this issue. The scope of the legislation was much smaller than the other two issues and had the potential to affect far fewer individuals and businesses. As a result, fewer organizations were actively involved in the debate. While 96.9 percent of the groups lobbied on Clinton health reform and roughly 82 percent worked on the Patients' Bill of Rights, seventy percent lobbied on HIPAA. Along similar lines, fewer groups viewed HIPAA as crucial to their work. Respondents were asked to indicate the importance of each issue using a scale of 1 to 4, with 4 indicating an issue was "extremely important" to their organization. Eighty-nine percent of respondents indicated that Clinton health reform was extremely important. For Patients' Bill of Rights, roughly 53 percent provided this answer. Far fewer respondents, 37 percent, ranked HIPAA at this level of importance.

In general, the lower importance levels and the more technical nature of HIPAA made grassroots work less important. Under these circumstances, groups are less likely to mobilize their members around an issue. As one lobbyist for a Republican-leaning group said, “We did not do as much grassroots...because our members didn’t care as much...[Our members] ability to be persuasive [to Congress] is much less when it’s not a ‘bread-and-butter’ issue for them.” Another lobbyist for a bipartisan organization echoed his sentiments: “We always do some grassroots...but [we do] less of it on minor issues.”

In addition to the weaker impact of grassroots contacts on these issues, groups must also consider over-using their members as a resource. Many organizations are reluctant to call on their members too often; doing so might overburden members. Also, the group’s impact on Congress may not be as strong if members are always contacting their representatives. As one lobbyist said, “We communicate [with our members] a lot, but we don’t want to wear out our welcome.”

As reported in Table 4.3, Democratic-leaning groups increased their grassroots work from the first issue to the last by 0.81. The Republican groups did the opposite, with a smaller decrease of 0.34. The middle column – with the HIPAA results – presents a slightly different picture; to a large degree, this can be attributed to the varied nature of this issue. As noted in Chapter Three, HIPAA was a bill that received bipartisan support and proposed far less comprehensive change to the health insurance market than the other bills selected for the study. Many lobbyists described HIPAA as an “inside-the-Beltway” job with little use of grassroots. In these cases, groups are less likely to develop a grassroots strategy, regardless of the institutional context surrounding the legislation. An environment of strong party control – and therefore of limited access for some group to majority leadership – has less of an impact under these circumstances.

Table 4.3, Mean Grassroots Scores, by Issue and Party
(Standard Deviations in Parentheses)

Partisanship	Clinton Health Reform	HIPAA	Patients' Bill of Rights
Democratic-leaning	0.86 (0.90) N=7	1 (1.41) N=2	1.67 (0.57) N=3
Nonpartisan or Bipartisan	1.5 (0.65) N=14	1.14 (0.69) N=7	1.73 (0.65) N=11
Republican-leaning	1.45 (0.82) N=11	0.58 (0.67) N=12	1.11 (0.60) N=9

It is certainly worth noting that the nature of an issue can depend, to some degree, on interest group strategy. Groups often have incentives to keep the negotiations out of the spotlight or, alternatively, to publicize an issue by attracting media coverage. The latter was certainly the case for the Health Insurance Association of America during the debate over health care reform during the Clinton administration. The HIAA was staunchly opposed to the plan; their “Harry and Louise” advertising campaign received substantial attention in the news media and from analysts following the debate. The National Federation of Independent Business, similarly opposed to the Clinton plan, opened up its doors to media coverage of the group’s work to defeat the Clinton bills. While the nature of an issue can influence a group’s use of grassroots strategy, it is not entirely independent of group behavior. It can often be manipulated by groups seeking to create a favorable political climate.

In general, though, the data coupled with the interview comments indicate that Democratic-leaning groups were affected by the new Republican majority’s strong control over their party and, consequently, the House agenda and content of House

legislation. The impact of these reforms, however, were mitigated by the nature of each issue under consideration. When an issue had a lower profile or the debate is one based largely on complex policy details, all groups – regardless of partisanship – tended to rely less on grassroots mobilization.

In an attempt to isolate the effects of a group's partisanship on its preference for grassroots mobilization, the lobbyist responses from above were regressed against three potentially influential variables. The dependent variable is the zero-to-two scale measuring the degree to which an organization pursued grassroots work on each issue. As noted above, a zero indicates no grassroots work, a score of one suggests that grassroots tactics were somewhat important to the group, and a value of two indicates substantial grassroots work on an issue. Since the dependent variable is a scale, an ordered logit model is the most appropriate to use (Kennedy 2003:263).³⁸

The independent variables are as follows: the importance of the issue to the organization, the size of its budget, and a dummy variable for whether or not the group identifies itself as Republican-leaning. Two separate regressions were performed: one for the issue prior the House reforms and another for the latter two. Table 4.4 presents the coefficients and standard errors for the model. The party dummy variable is of particular interest to this discussion. Republican-leaning groups were given a value of zero for this variable; nonpartisan and Democratic-leaning groups – those groups not directly aligned with the GOP – were coded with a value of one.

In the first regression, the party dummy variable was not statistically significant (p-value: 0.419).³⁹ This result suggests that partisanship had few

³⁸ Within the dataset, each group was listed three times – once for each issue. This arrangement violates the assumption of independent observations. To adjust for this violation, the model called for robust estimation of the coefficients, which assumes independent observations across groups, but not necessarily within groups.

³⁹ A p-value is defined as the probability of observing a test statistic as extreme as the one observed, under the assumption that the null hypothesis is true (Utts and Heckard 2002: 318). In this case, the null hypothesis is that the partisanship variable has no effect on the degree of grassroots work. Since

consequences on grassroots activity before the reforms. Given that the variable is not statistically significant, I cannot make any conclusions about the regression coefficient itself. Following the Republican reforms, though, the effect of party on grassroots mobilization *does* seem to matter. The coefficient is positive which indicates that those groups *not* aligned with the Republican Party exhibited a higher likelihood of relying on grassroots as a tactic; the coefficient is also statistically significant (p-value: 0.011). Thus, after the reforms, the use of grassroots increases among those groups with limited access to the House majority leadership, even when controlling for other influential variables.

Table 4.4, Robust Ordered Logit Coefficients,
Importance of Grassroots Strategy ¹
(p-values in parentheses)

Independent Variables	Pre-reform (N=29)	Post-reform (N=38)
Issue Importance	-0.55 (0.42)	0.75 (0.04)
Budget ²	0.00 (0.24)	-0.00 (0.92)
Party Dummy Variable	-0.68 (0.42)	2.13 (0.01)

¹ For certain organizations, the past editions of group directories used to gather this data did not include the membership, staff size, or annual budget. To prevent these observations from being treated as missing data and subsequently dropped from the statistical models, current information for these variables was taken from more recent directories or from the group's websites.

² Coefficients were rounded to two decimal points. In the case of the budget variable, the coefficients are statistically significant but have a very small effect on grassroots work. While one is positive and the other is negative, the coefficients, when rounded, are virtually equal to zero.

The other two independent variables had mixed effects on groups' use of grassroots. In the case of the budget variable, the coefficients are not statistically

the p-value is statistically significant, we can reject this hypothesis in favor of the one claiming that party does have an impact after the House reforms.

significant and, therefore, no substantive conclusions can be drawn beyond the fact that budget seemed to have little impact.

The importance of each issue to each group was measured on a scale of one to four. Lobbyists ranked each issue according to this scale. A score of one indicates that an issue was not important to an organization, while an issue that received a four was extremely important. The pre-reform coefficient for this variable was not statistically significant; as such, we can make no strong conclusions about the effects of this variable on grassroots work before the reforms. After institutional change, however, it seems that an increase in issue importance is associated with an increase likelihood of grassroots work; the coefficient is both positive and statistically significant. It is worth noting, however, that this variable did not have substantial variation across the groups. These issues were selected in part because of their overall importance to the health community. As such, most groups gave the issues a score of three or four. This likely had some impact on the coefficients.

The results of the model do, however, confirm my expectations that Democratic-leaning groups increasingly pursued grassroots work once they found a more hostile and controlled environment in the House. Yet partisanship – and its impact on a group's access to majority party leaders – is just one component of a group's use of grassroots mobilization. Another very important factor is the resources available to an organization. The resources available to a group can also influence the degree to which they rely on grassroots strategy. The anecdotal evidence from the interviews indicates that groups with fewer resources often rely heavily on their grassroots connections as a means of getting access to members of Congress.

Some small groups select their targets for lobbying by identifying those members with whom they have already had a grassroots connection. One lobbyist who formerly worked for a small organization of healthcare facilities said that the

group “targeted [the legislators with districts] where their membership was strong and where they had strong relationships.” She continued, “We would have liked to have had access to the Republicans on Clinton health reform, but these people were not from places where we had members that could get to them.” Grassroots connections can be especially important for smaller groups; this resource enables them to get their foot in the door of certain legislators despite their lack of money or a large membership.

Groups – both large and small in size – without a political action committee also found grassroots the most effective way to get the attention of House members. One lobbyist interviewed had worked for a large membership organization and a smaller group representing health facilities; neither group had a political action committee and both were barred from making campaign contributions due to their tax-exempt status. He noted, “Grassroots are especially important because [neither group] could give money. In general, you get [access] to [members of Congress] first by giving them money and then grassroots and grasstops.”

Taken together, the above results indicate that a group’s partisanship and their access to majority party leadership following the reforms seemed to matter. Those lacking access tended to increase their reliance on grassroots mobilization. To a lesser degree, groups with access to House leadership relied less on this sort of work. These effects, however, were sometimes mitigated by the group’s resources and the nature of the issue.

Other Indirect Influences

In addition to increasing their grassroots work following the reforms, many groups lacking access to Republican leaders also engaged in more coalition work. Hojnacki (1997) argues that groups’ willingness to participate in a coalition will be

affected by the following factors: whether a group's interest in an issue is broad or narrow; the perceived strength of the opposition; a group's prior experience with coalition work; and the presence or absence of "pivotal players" in the coalition. Hojnacki argues, among other things, that groups "may perceive from the presence of 'key players' in a coalition that allied advocacy is more likely to bring them success" (Hojnacki 1997: 85).

Her basic point is that who a group partners with in a coalition can have important implications for whether or not that group is willing to participate. Many of the lobbyists interviewed pointed out that partnering with other groups, particularly those often at odds with their own agenda, can give their organization and its position more legitimacy with members of Congress. A representative from the business community said the following: "Our organization worked a lot and convened a lot of coalitions. We often tried to bring in unnatural partners to help bolster our legitimacy."

As one lobbyist for a trade association and labor union pointed out, "[On the Patients' Bill of Rights], [a Republican-leaning group] was the 500 lb. gorilla. The coalition was the 'usual left' plus [this other organization]; they made the coalition work because they had access to the Republicans." Another lobbyist who headed up a public interest group pointed out that, after the House reforms, they had less access to the majority party and had to call on other groups: "Our organization had a large network of other advocacy groups [with similar interests], so it was important to get these groups involved in speaking up when our access to the majority party was limited."

It is clear from these quotes that many groups without access to key decision-makers in the House found it beneficial to partner with groups that did have access to these legislators. In the post-1994 House, left-leaning groups had limited access to the

House majority party and limited influence over the legislative agenda and policy substance. Under these circumstances, it is expected that groups not closely aligned with the GOP would increase their participation in coalition work, much like they increased their grassroots mobilization.

Using the transcripts from the lobbyist interviews, each group's work on the each issue was coded with a dummy variable indicating whether or not the lobbyist mentioned the group's coalition work on that issue. Table 4.5 lists the mean values of this dummy variable across the three partisan categories, both before and after the reforms.

Table 4.5, Mean Coalition Work Pre- and Post-Reform, by Party
(Standard Deviations in Parentheses)

Partisanship	Pre-reform	Post-reform	Difference
Democratic-leaning	0.29 (0.49) N=7	0.80 (0.45) N=5	+0.51
Nonpartisan or bipartisan	0.36 (0.48) N=14	0.11 (0.32) N=19	-0.25
Republican-leaning	0.18 (0.40) N=11	0.38 (0.50) N=21	+0.20

While the standard deviations are rather high, we do see a more drastic increase in the mean values for Democratic-leaning groups over those groups that affiliate themselves with the Republican Party; a change of 0.51 versus 0.20. The average for non- or bi-partisan group decreases somewhat by 0.25. A difference of means test comparing the mean values of each party pre- and post-reform suggests that the increase in Democratic coalition work is statistically significant. The one-sided p-

value for these groups is 0.05. The p-values for the other two partisan categories, however, are not significant.

As with grassroots work, resources can mitigate the effects of the reforms described above. Over the course of the interviews conducted for this project, it became clear that smaller groups and those organizations with limited resources tend to let their larger, better-financed political allies take the lead on many issues. For example, one respondent said, “[On some issues], you have to figure out where to align and then say ‘me too’ – you show up at the same events, send a letter to the Hill, have grassroots participate.” He continued, “You lobby things differently based on who is involved in the issue. [On the Patients’ Bill of Rights], there were a lot of heavily moneyed [groups] who were on our side, so we did a lot of ‘me too.’ ”

In addition to this sort of piggyback lobbying, some groups let their “parent” organization take the lead. A parent organization is one that represents all of a certain type of business, for example, while other smaller organizations represent the various businesses within that larger group. For example, the American Hospital Association represents all hospitals nationwide, while the Federation of American Hospitals represents private for-profit hospitals and the Catholic Health Association looks after the interests of not-for-profit facilities and systems offering Catholic health care. One lobbyist who worked for a constituent-specific group said the following about its work on HIPAA: “We didn’t do much work on HIPAA. We tended to follow [two larger organizations representing the same demographic]; they’d take the lead on technical issues and we would just sign on [with our support].”

Though not coalition work in a formal sense, this sort of behavior does tell us a good deal about the relationships between different types of organizations and how the resources available to a group can influence their activity. For those groups with

limited resources, it makes the most sense to free ride off the work of those groups with similar policy preferences and more resources to devote in pursuit of those goals.

In addition to coalition work, a few lobbyists indicated that the stronger party control by the new GOP leadership meant a renewed emphasis on using the media to their advantage. As one lobbyist from a small Democratic-leaning organization said,

[After the House reforms], the majority leadership was just telling members [of Congress] what to do so talking to members and their staff was much less effective. We'd have to come up with more press somehow to break through. It became clear to the group that the press was important now, that we had to learn how to "message" everything... We had always done quick reports with good materials, but we realized we needed to do more of that because the group couldn't get through [to legislators] directly since everyone was in such lock step.

This lobbyist also surmised that, while her organization did not poll as a result of this situation, "This is probably when polling by advocacy groups increased as a way to get through to the public."

In general, reliance on the media and advertising appears to be an important strategy for groups on the defensive. During the fight over Clinton health reform, the lobbyists for two groups that strongly opposed the plan – and were therefore working at odds with the Democratic House majority at the time – spoke at great length about their work with the media and on advertising. One representative discussed how her organization targeted ads towards specific media markets with members of Congress they hoped to persuade or who were particularly influential within the House.

Another lobbyist said that he and his group encouraged the media's coverage of their work on the issue, going so far as to allow journalists to attend strategy meetings; this served to raise the profile of the organization and provide substantial attention to its opposition to the Clinton plan. Thus, such indirect strategies seem to be of particular importance to groups working to defeat legislation that the majority party supports.

Taken together, the above commentary highlights how strong majority party control over party members, the legislative agenda, and the substance of bills strongly affected those groups lacking access to the new key players in the House. As a result, these groups drew upon various means of indirect influence to make up for their inability to get what they wanted in the House. These methods of indirect influence ranged from increased grassroots mobilization and reliance on group members' participation to working in coalitions and broadcasting the group's message through the mass media; each method, though, has a similar goal: to influence House legislation and votes despite an inability to effectively lobby its members directly. Certainly, as pointed out in the observations presented above, these effects can be mitigated by both the nature of an issue and the resources available to an organization. In general, though, groups that lacked access to the House and saw their effectiveness in this chamber diminish reemphasized their reliance on indirect influences.

Working with the Senate and other branches of government

In addition to relying on the indirect influences outlined above, many groups also focused more of their lobbying efforts on the Senate side of Capitol Hill. The Senate at this time – and historically – was a far more moderate and decentralized body. This institutional context increased groups' sense of efficacy within that chamber; they felt they had better access and a better chance of influencing legislation.

The Senate, from a historical perspective as well as through its rule structure, has always been a far more deliberative body and one less controlled by party discipline than the House. As Davidson and Oleszek write, "Today's Senate, far more than the House, is an institution that tolerates and even promotes individualism...Unlike House leaders, Senate leaders lack the buttress of rules designed to expedite business and so must rely heavily on personal skills and

negotiation with their colleagues” (Davidson and Oleszek 2000: 173). Evans and Oleszek (1997a) point out that the Senate is much less formal than the House and, as such, members have fewer incentives to change the chamber’s rules and structure (Evans and Oleszek 1997a: 156).

Due to allowances for much more open debate, a strong adherence to seniority norms, the ability to filibuster, and the two-thirds majority necessary to end debate, scholars note that it is much harder to enact reform in this chamber (Evans and Oleszek 1997a: 156). As a result, there were far fewer reforms in the Senate when the Republicans gained majority status in that chamber after the 1994 election. Though some similar changes were adopted by the Republican Conference in the Senate, they were not nearly as sweeping or consequential as in the House.

The same procedural rules and norms that made institutional reform less likely in the Senate also made it a more suitable chamber for groups with goals different from those of the majority party. Because Senators have much greater individual power than members of the House – and because there is much less opportunity and incentive for party discipline within the chamber – many groups may feel that their chances for access and effectiveness are greater in the Senate. This notion was a common theme across the interviews. Two types of groups in particular expressed this sentiment: those with a tendency to align themselves with the Democrats and those with a vested interest in promoting bipartisanship.

A number of the lobbyists described their inability to get much accomplished in the House following the reforms of the 104th Congress. Under these circumstances, they found working with the Senate to be a better use of their resources. A lobbyist for a trade association and union said, “The nature of the House is so majoritarian and, with the 104th Congress, it was beginning to be so polarized. We had no real ties to the House leadership that was making the decisions.” She pointed out that the group’s

work on HIPAA focused on the Senate legislation: “If there was something to be gained by going up to meet with the House, we might have [done that]...I don’t recall having done this much, though. Most of what was being fought over [in the House] was stuff we adamantly opposed and not much was going to change, so we didn’t spend much time there at all.”

Another lobbyist for a mid-sized nonpartisan group described the situation in the House: “It is a more closed process all the way around; markups are pro forma, the chairman holds all the votes. Our group just has to plow the field [we are given] but it is much harder to have influence. This makes the Senate more important because their process is more open and they have different rules.” A representative for a public interest group remarked, “The House had become so...dictatorially run it was hard to impact legislation...We put our resources into the Senate to get a more moderate version [of a bill] or to use the Senate to stop the excesses of the House.” She continued, “On HIPAA, we spent much more time in the Senate because we thought we had a better chance [there] because there were more moderate Republicans and we had a better chance of getting a more moderate bill.”

Many other respondents echoed this lobbyist’s point that more moderate legislation was easier to get in the Senate. The Legislative Director for a large nonpartisan group said the following about the House after the 1995 reforms: “There was unprecedented party discipline due to [new] tools to keep people in line. Our usual strategy of working with moderates and putting together a bipartisan coalition was not effective, at least in the first few years. This made it more important to work with the Senate and the [House] Speaker’s Office.” He continued, “Most of my memories [about the Patients’ Bill of Rights] are on the Senate side. Our group wants to support bipartisanship so it tends towards the Senate whose structures support bipartisan outcomes. We often end up more comfortable with Senate legislation.”

The interview transcripts were coded for whether or not a lobbyist indicated that the group worked a great deal with the Senate on either HIPAA or the Patients' Bill of Rights legislation. This information was represented with a dummy variable. A zero indicates no mention of Senate work and a value of 1 indicates that the lobbyist emphasized the group's work in that chamber.

Again, partisanship was an important indicator of a group's inclination to devote their resources to working with the Senate. Table 4.6 presents the average value of this dummy variable for the two post-reform issues. The mean value for Democratic-leaning groups is a good deal higher than that for both the non- or bi-partisan groups and for Republican-leaning groups as well.

Table 4.6, Mean Senate Work Post-Reform, by Party
(Standard Deviations in Parentheses)

Partisanship	Senate Work
Democratic-leaning	0.60 (0.58) N=5
Nonpartisan or Bipartisan	0.39 (0.50) N=18
Republican-leaning	0.26 (0.46) N=21

A difference of means tests between the values for Democratic and Republican groups demonstrates that this difference is somewhat significant at the 0.1 level; the p-value is 0.099. In addition to the anecdotal evidence presented above, the data seems to similarly demonstrate a strong emphasis on work in the Senate, especially among those groups at odds with the Republican majority.

A small number of groups facing difficulty in the House also pursued their goals by working with other branches of the government. Again, these groups believed that their likelihood of success was higher by working with these executive agencies or with the White House. One lobbyist for a small nonpartisan group said the following,

[After the reforms], we didn't have any more access to majority leaders, so we worked very closely with the [Clinton] Administration and Assistant Secretary [of a relevant executive agency]. We had much better access and relationships with these people. It was more likely that we would have a chance to talk to the Secretary of Health and Human Services than to Gingrich.

Additionally, a representative of a small Democratic-leaning group noted that their ineffectiveness at the federal level led them to increase their work on health policy at the state-level.

Discussion of Results

The above discussion has provided evidence in support of the argument that the House reforms led many groups – particularly those lacking access to the GOP majority – to place a greater emphasis on grassroots efforts, their work in the Senate and, to a lesser extent, other branches of the government. As with the previous commentary on grassroots strategy and other indirect influences, the renewed emphasis on working outside the House stems from the strong majority party control in that chamber. This control decreased the ability of many organizations to, first, gain access to important decision-makers and, second, to be influential if access was available. As a result, avenues of influence beyond the House became more attractive to these interest groups.

The results presented in this chapter highlight the importance that interest groups place on access to members of Congress and their staffs. The reforms

introduced by the Republican Party increased its control over the legislative process and over the committee system. Groups that did not find natural allies in the Republican Party found themselves increasingly shut out of the legislative process. Naturally, this finding has important implications for the ability of these groups to effectively represent their members' interests before Congress, and therefore on the responsiveness of the House of Representatives to popular will. Certainly, those groups that pursued external indirect means of influence still had the opportunity to put pressure on legislators. What they lacked, however, was the opportunity to fully pursue all means of influence typically available to the interest group community. As such, their effectiveness was limited. They were unable to gain entry to meetings with the true decision-makers and agenda-setters in the House.

These groups, thus, were dissatisfied with the nature of the congressional reforms and the partisan environment they promoted in the House. Speaker Gingrich and his supporters in the new Republican majority had very specific goals in mind after winning control of the House. In order to pursue these goals and deliver the results they believed the electorate had given them power to implement, they streamlined the legislative process to minimize potential obstacles. They also closed their doors to certain outside interests with an agenda contrary to their own. Certainly, shutting out political opponents can increase a party's legislative effectiveness, but doing so also limits the inclusion of all voices in the political process – an outcome with important normative implications regarding the quality of American democracy. Such a result is arguably a blow to the ability of the House to respond to all segments of society.

Yet, by promoting grassroots work among those interest groups lacking access, these reforms also promoted an important quality of a healthy democracy: widespread political participation. Since some lobbyists could no longer directly meet with key

legislators, they instead leaned on their membership to voice their opinions and make their voice heard in Congress. This increase in mass participation is likely a positive benefit of the reforms. Increased popular involvement in the legislative process – with more constituents weighing in on policy positions with their members of Congress – is a positive, counterintuitive consequence of limited group access to the House.

CHAPTER FIVE

CHANGES IN CAMPAIGN FINANCE AND HIRING PRACTICES

Another important mode of interest group influence is through the campaign finance system. This chapter examines the effects of the House reforms on group contributions using two sources of evidence: first, campaign finance data for those groups selected for this study – which is made available to the public by the Federal Election Commission (FEC) – and, second, anecdotal evidence from the interviews conducted with the lobbyists interviewed for this project. Two topics in particular are addressed.

First, the chapter highlights group contributions to legislators in key institutional positions before and after the reforms. The data analysis supports the argument that contributions to the chairmen of relevant health policy committees declined; contributions to members of the majority party leadership rose but the patterns depended on group partisanship. While the data demonstrates the expected trends, the evidence is not overwhelming that the reforms altered donation behavior. The anecdotal evidence from the interviews helps to illuminate why this may be the case. The discussion in these interviews provides evidence that groups view the campaign contribution process as an ongoing one, not directly tied to legislation.

Second, this chapter covers the influence of the House reforms on group hiring practices. While not directly a campaign finance issue, this topic has important connections to money in politics. The K Street Project – as the efforts by certain members of the Republican majority leadership to influence the hiring practices of lobbying firms and trade organizations were called – was closely tied to campaign finance practices. A number of the lobbyists interviewed for the study commented on this issue; their comments are addressed and analyzed below. One group in particular was directly affected by the K Street project; others made an internal strategic decision

to bolster their staff with Republican lobbyists in an effort to ensure access to the new Republican power players. The latter point highlights the importance of access to policymakers; it is an essential component of any interest group's influence strategy.

Changing Donation Patterns

Substantial work has been conducted on the role of organized interests in elections. Two descriptions of contributors have dominated this research.⁴⁰ The first depicts PACs as "position-oriented"; that is, they care most about which party holds majority status. In these models of donation behavior, contributors assume that the legislative outcome associated with each candidate is a given; that is, the legislator is already for or against the donor's interest – no amount of contribution will change his mind. What *is* subject to change, however, is the probability that the group's favored candidate will be elected. Groups donate to those electoral races in which their money will have the most influence; presumably those races with an uncertain outcome. Essentially, "position-oriented" donors hope to influence the overall composition of the legislature.

A separate picture presented in the literature depicts PACs as "service-oriented," actively seeking to establish a relationship with a legislator who is in the position to provide direct favors to the group or to work on its behalf. These favors can come in the form of an immediate response to legislation facing action in the House, but they also describe a longer-term relationship in which a legislator provides access and consideration to the donor group on a consistent basis.

Many scholarly articles in this second line of research test for contribution strategies based on legislative characteristics like committee membership, seniority,

⁴⁰ See Austen-Smith (1997), Morton and Cameron (1992), or Mitchell and Munger (1991) for a comprehensive review.

majority party status, and party leadership.⁴¹ If these sorts of institutional traits are in fact important to interest groups, then a shift in the relative power of these traits should be reflected by a change in campaign finance contributions. The House reforms of the 104th Congress served to strengthen the power of majority party leadership at the expense of committee and subcommittee chairmen. If groups recognized this change in the chamber's power dynamics, they should also donate more to majority party leadership and give less money to prominent committee figures.

What follows is an analysis of the campaign contributions of the political action committees of those groups included in the study.⁴² I hypothesize that majority party leaders' individual campaign committees would see an increase in the size of contributions from these health groups after the centralization of party power. Presumably, these organizations would recognize that the agenda-setting power had shifted hands within the chamber; they should adjust their contributions accordingly. Likewise, we would expect that contributions to the leaders of key health committees and subcommittees, such as the Commerce and Ways & Means committees and their respective subcommittees on Health, would decline following the reforms because these committees had lost a good deal of their autonomy.

In order to test these hypotheses, I relied on FEC campaign finance data from four election cycles: two prior to the House reforms, 1992 and 1994, and two immediately following these changes, the 1996 and 1998 elections. The data was cleaned to include only donations to House incumbents from those groups included in this study. Certainly, the partisanship of a candidate for office plays an important role

⁴¹ See Grier and Munger (1986, 1991); Munger (1989); Endersby and Munger (1992); Grier et al (1994); and Mebane et al (2001).

⁴² Of the 34 groups included in this study, nineteen have a political action committee. Many of the groups without a PAC are 501(c)(3) organizations barred by law and their tax-exempt status from making political contributions. Other organizations simply choose not to have a PAC.

in an interest group's decision to make a contribution to that candidate; it also affects how much the group will give. Partisanship is especially important for those groups seeking to change the makeup of the legislature and those that are most interested in which party controls the majority. It is therefore reasonable to categorize contributions to party leadership under the "position-oriented" model of PAC behavior.

Partisanship was also an important component of the House reforms. Chapter Two detailed how the House reforms strengthened the majority leadership by increasing party discipline. This trend was strongest among the Republican Party in the House; the Democratic Party and the minority leadership did not exercise such strong discipline over its rank-and-file members. The balance of power within the Democratic caucus was much more up in the air; as a result, groups would not have a clear reason to contribute more to minority leaders. Thus, we would not expect contributions to Democratic leadership to increase as drastically as those to Republican leaders.

Table 5.1 presents evidence of group contributions in light of group partisanship. Specifically, the table reports the average contribution from each category of group partisanship to the leadership of both parties. The first three rows of the table are of particular interest. The Republican majority had unusually strong control over the House agenda, its rules, and rank-and-file Republican legislators. Not surprisingly, this control coincided with an increase in their contribution levels, but only from nonpartisan and Republican-leaning groups. Nonpartisan groups increased their contributions by about 27 percent from roughly \$3000 to just under \$3800, while Republican-leaning group contributions increased from about \$3700 to \$4500, a 21 percent change.

The two Democratic-leaning organizations included in the dataset gave no money to the Republican leadership before or after the reforms, despite the fact that the balance of power in the House shifted strongly in favor of the new Republican majority. Like the results presented in Chapter Four, we see the mitigating role that partisanship can play. Those organizations with a working relationship with the leadership of the now-strong Republican Party responded as expected. Organizations at odds with the leadership, however, were unaffected.

The next three rows of the table outline the average contributions of each category of group partisanship to Democratic leaders. During the pre-reform era, these individuals were in the majority leadership, and following the Republican 1994 victories, obviously, they became minority leaders. Additionally, the Democratic leadership at this time was not as highly centralized and powerful as their majority counterparts. Yet we still see an increase in contributions to these groups across the board. While it is not unexpected to see the substantial 46 percent increase from Democratic-leaning organizations, nonpartisan and Republican-leaning groups also increased their donations by 16 and 17 percent respectively.

The bottom two rows of Table 5.1 present evidence about the committee system. Here, an interest group's concerns are more "service-oriented." Powerful committee figures are in a position to provide groups with the specific favors and the legislative language they seek in bills. Partisanship is presumably less consequential in these contribution decisions. This trend was evident across the interviews. The table below presents the average contributions from all groups to the chairman of relevant health policy committees and subcommittees. Given that the committee system was much weaker under the new House arrangements, it is reasonable to expect a decline in contributions to these key committee players. The data confirms this expectation. The average contribution to committee chairmen decreased by about

\$400, while contributions to subcommittee chairs dropped by roughly \$200. The results indicate a 10.5 percent and 5.1 percent decline respectively. That this occurred during a time when the amount of money donated during elections was increasing across the board is especially surprising. In fact, this trend is the subject of the following discussion.

Table 5.1, Mean Contributions, Pre- and Post-Reform
(Standard Deviations in Parentheses)

	Pre-Reform	Post-Reform	Difference
Dem groups to GOP leadership	\$0	\$0	0
Nonpartisan groups to GOP leadership	2972.69 (2172.28)	3787.73 (2895.80)	+ 815.039
GOP groups to GOP leadership	3704.75 (3708.99)	4493.61 (3371.76)	+ 788.863
Dem groups to Dem leadership	5100 (3717.83)	7442.13 (2001.41)	+ 2342.125
Nonpartisan groups to Dem leadership	4069.25 (3078.42)	4710.53 (3501.25)	+ 641.276
GOP groups to Dem leadership	3352.94 (3040.17)	3928.57 (3823.49)	+ 575.63
All groups to Committee Chairmen ¹	3814.06 (2919.74)	3410.57 (2924.877)	- 403.492
All groups to Subcommittee Chairmen ¹	4008.07 (3350.67)	3803.85 (2816.88)	- 204.211

¹ The committees included here are those with jurisdiction over health policy: the Ways & Means, Education & Labor, and Energy & Commerce committees.

The results above, though telling, are mitigated by the fact that there was an overall increase of money in politics throughout the 1990s. Such a trend makes it difficult to rule out the possibility that the observed increases in contributions to leadership are simply due to increases across the board – from all groups to all

candidates. In fact, the size of donations to House incumbents from the groups included in this study did substantially increase during the mid to late 1990s. The average contribution from these groups for the 1992 and 1994 election cycles was \$2328; the average value for the post-reform period was roughly \$2634, over three hundred dollars more per donation.⁴³

In order to account for this increase, the data was standardized against the overall average contributions pre- and post-reform. The results of these comparisons are presented in Table 5.2. In the case of party leadership, the results are again calculated with an eye toward partisanship. For the first six rows of the table, the average contributions used to standardize the results were the average contributions of each party. The results are largely consistent with the discussion above. Prior to the reforms, a member of the Republican leadership received, on average, 1.63 times the average size of nonpartisan groups' contributions. Following the changes, and the subsequent increase in power of these legislators, the donations increased to 1.82 times the average. We see a similar, though smaller, increase in contributions from Republican-leaning groups, from 1.33 to 1.42 times the average donation. Quite possibly, nonpartisan groups thought giving the newly powerful leadership more financial support would increase their chance of access. The smaller increase in Republican groups' donations may be attributed to their lesser concerns over gaining access to the leadership, with whom they tended to align themselves on policy matters.

Again, though the Democratic minority leadership was not as powerful or as organized as the GOP following the reforms, their contributions still increased relative to the average. Naturally, the largest increase came from Democratic-leaning groups,

⁴³ The actual number of contributions, however, was virtually unchanged after the House reforms. The average member received an average of 18.9 contributions from these groups before the reforms; that number dropped slightly to 18.6 for the post-reform election cycles. Most likely, this is due to the limited number of groups included in the study. If all possible organizations were included, we might see that more groups gave to these legislators.

who increased their contributions from 1.89 to 2.31 times their average donation. The increases among nonpartisan and Republican groups, however, were much smaller – and less than these groups’ increases to majority leaders. Nonpartisan groups increased their donations by 0.02 times the average, while GOP groups increased their donations by 0.04 times the average.

Table 5.2, Contributions Relative to Average, Pre- and Post-Reform

	Pre-Reform	Post-Reform
Democratic groups to Republican leadership	None given	None given
Nonpartisan groups to Republican leadership	1.63	1.82
Republican groups to Republican leadership	1.33	1.42
Democratic groups to Democratic leadership	1.89	2.31
Nonpartisan groups to Democratic leadership	2.24	2.26
Republican groups to Democratic leadership	1.20	1.24
All groups to Committee Chairmen ¹	1.64	1.29
All groups to Subcommittee Chairmen ¹	1.72	1.44

¹ The committees included here are those with jurisdiction over health policy: the Ways & Means, Education & Labor, and Energy & Commerce committees.

Consistent with the earlier results, we see another marked decline in the money given to prominent legislators within the weakened committee system. Before the House reforms, the chairmen of relevant committees received 1.64 times the average contributions from all of the groups included in this analysis. Once the Republican majority had usurped much of the committee autonomy, these members received less – 1.29 times the average donation. The same is true for subcommittee chairmen; their

contributions declined by approximately 0.3, from 1.72 to 1.44 times the average. Thus, while these legislators still received more than the average member, their post-reform contributions fell closer to average levels.

Generally speaking, the data analysis shows a decline in contribution to committee and subcommittee chairmen after the House reforms weakened the autonomy of these legislators. They also demonstrate that contributions to Republican leaders increased once they gained majority status; these contributions were also greater, on average, than those contributions given to the Democratic leadership when they controlled the majority. Naturally, a group's partisanship played an important role in these trends.

While the analysis of changing contribution trends is consistent with my expectations, the evidence does not overwhelmingly suggest that campaign finance activity was strongly and uniformly affected by the House reforms. In a number of the interviews, lobbyists spoke of their group's campaign contributions work as an ongoing process not tied directly to specific legislation or to the organization's more general lobbying strategy in the House. This overall approach to the organizations' campaign finance activity is the topic of the following section; it should provide a more nuanced view of the context in which the previously discussed contribution decisions took place.

The campaign finance research reviewed in the first chapter does not offer any definitive conclusions about the effectiveness of campaign contributions. Nor does it fully explain how groups view the campaign contribution process. Because this quantitative research relies only on publicly available campaign finance data, it fails to examine just how the decision to contribute is orchestrated. The FEC data provides a picture of which groups gave to which candidates but it tells us little about how these decisions to contribute are made and – most relevant for this project – how involved

legislative lobbyists are in this process. To gain insight into this aspect of group decision-making, the interview also included a brief series of questions on this topic.

The lobbyists were asked the following question: “How involved are the legislative affairs representatives at the organization with the group’s campaign contributions and political action committee?” In nearly all cases, lobbyists were closely connected to the PAC’s decision-making. Of the 19 organizations with political action committees, only one indicated that there was no substantial coordination between the staff responsible for the lobbying and campaign finance work; this organization, however, had a very small and newly formed PAC during the 1990s, which offers some explanation for the lack of coordination. Twelve of the groups expressed that their group’s lobbyists were very involved in the PAC’s contribution decisions; four other groups indicated that the lobbying and electoral work of the group was somewhat organized.⁴⁴

In the majority of cases in which coordination existed, the political action committee was run by a separate board of PAC officers. Often these boards were comprised of the interest group’s individual membership or representatives of member companies or organizations. While these boards were responsible for the final contribution decisions, each organization’s lobbyists typically weighed in with recommendations; in most cases, these recommendations were accepted by the board. The lobbyist for one large Democratic-leaning group described the role of the lobbyists as follows: “The staff made [contribution] recommendations, but they weren’t the ones carrying them out...The political [also known as campaign finance] and the legislative people’s offices were intertwined around one hallway and there were constant discussions [among these two sets of employees].”

⁴⁴ Of the 19 groups with PACs, two were not asked about the group’s campaign finance activities due to time constraints.

The head of a small Republican-leaning group described a similar arrangement. According to him, “The lobbyists staff the political action committee. The government affairs people make recommendations to the PAC board about who to give to and when. Decisions are fairly heavily driven by the group’s legislative strategy. The PAC board hears the legislative strategy as a rationale for the decisions about distributing the money.” Similar scenarios were described by the majority of groups. Whether an organization was small or large and fully-staffed, there existed an opportunity for lobbyists to make strong recommendations regarding those legislators who should receive money from the group.

The comments of the respondents also indicated that the campaign finance process was viewed by many groups as ongoing and not directly tied to legislation. While some lobbyists indicated that a legislator’s vote on a specific issue played some role in the group’s decision to contribute to that member, more often than not respondents suggested that contributions were tied to a member’s overall support of their organization’s goals and that member’s ability to affect legislation of interest to the group.

The representative of a large nonpartisan group, for example, said that her organization would design a “roadmap” for its contribution strategy at the beginning of each year. Each of the group’s lobbyists would sit down with the Executive Director of the PAC and list their priorities of which legislator to target and how much that member should receive. These meetings would continue throughout the year to monitor the organization’s progress in making these donations. Similarly, a large Republican-leaning group met every January in election years to budget for the upcoming races and make recommendations for that election cycle. Many other groups shared these organizations’ routinized, ongoing process to discuss campaign finance strategy.

The lobbyists also mention institutional positions as an important factor in deciding to whom the group would donate. A lobbyist one organization stressed that the group's "main concerns were those members who had institutional positions important for a say in healthcare issues, though they never put members [with a track record of going against the group's interests] on the list of recipients." The lobbyist for a mid-sized Republican-leaning group provided the following assessment of his group's strategy: "[The lobbyists and the PAC board] worked together to identify members [of Congress] who would support the overall position of the organization. Are they important to our issues? On a key committee? Do they support our overall position?" He also pointed out that – in the interest of maintaining relationships – the group also gave to members not entirely in agreement with the group's goals: "[The group] would still support members who disagreed with its policy position because you have to respect where they're coming from."

The importance of institutional positions and the routine manner in which many of the organizations approached their contribution decisions lend support to the argument that these groups tended to view their campaign work as a supplement to their work in Congress, but not a process directly tied to specific legislative issues. Instead, groups targeted those members supporting their overall goals and – most importantly – those legislators to whom access is essential for any lobbying success.

In addition to being viewed as an ongoing process not directly tied to legislation, one lobbyist in particular described the campaign finance system as a necessary evil that both members of Congress and the lobbying community have to endure. He described the importance of the current system for getting access to Congress: "You need PAC support to get access to the system now...Money is totally essential..." Yet, he continued, most legislators and lobbyists find the work of fundraising tedious: "There are so many fundraisers to go to....No members of

Congress like it.” He described an instance when a legislator held a non-reception fundraiser. If this member managed to raise enough money, he wouldn’t hold an event for lobbyists and other donors to attend. People were apparently willing to pay *not* to go to a fundraiser. While certainly an extreme example, these comments suggest that, while the world of electoral politics is inescapably driven by money, some Washington insiders view the system as something to be put up with rather than an ideal arrangement.

The evidence that fundraising is a long-term and sometimes tedious process offers some insight into why campaign finance contributions may not be quite as strongly affected by a shift in the power dynamics of the House of Representatives. The need for access to key players is paramount for an interest group to succeed. Campaign finance research has highlighted the fact that money buys access (Langbein 1986). In order to maintain this access to key players in the House, groups must continue to support their reelection campaigns.

The importance of money in the political system is well documented in the press, scholarly literature, and the anecdotal evidence from lobbyists themselves. It is reasonable to conclude that groups continue giving to all of the potentially key players in both chambers of Congress in an effort to maintain their valuable access to these legislators, despite a shift in their relative influence over the legislative process.

Hiring Practices

The House reforms also had an important effect on the hiring practices of various lobbying firms and trade associations in Washington, D.C. In particular, the K Street Project received substantial press coverage after initial reports in *The Washington Post* indicated that certain members of the Republican Party leadership had pressured various lobbying firms and organizations to hire only Republican

lobbyists. This section of the chapter describes the K Street project based on various accounts presented in the newspapers that covered the story. It also addresses how the GOP efforts to shape the lobbying community affected the groups interviewed for this project. While some groups felt direct pressure regarding their staffs, others adjusted their hiring policies on their own in an effort to develop or maintain strong relationships with the powerful new leadership.

While not directly tied to campaign activity, the K Street project is closely connected to the contribution behavior of individual lobbyists. The reporter who broke the story in the summer of 2002 opened his article with the following: “Republicans are researching the party affiliation and political contributions of hundreds of lobbyists in Washington, part of a campaign that could deny government access and prime lobbying jobs to Democrats, according to people familiar with the project” (VandeHei 2002). The K Street project also has important implications for the future fundraising potential of both parties. Lobbyists are among the most active donors to candidates’ reelection campaigns and, as that journalist noted, “by placing Republicans in these high-paying jobs, a whole new class of wealthy donors has been created” (VandeHei 2003). Given its attention to lobbyist contribution behavior and the potential wealth that plum lobbying jobs offer, the K Street project is closely connected to any discussion of campaign finance and the partisan competition for financing.

In June 2002, Republican leaders confirmed the existence of the aforementioned report, which was put together by Republican lobbyists and conservative activist Grover Norquist, president of Americans for Tax Reform. Then-chairman of the National Republican Congressional Committee Representative Thomas Davis was quoted as saying he knew about the report and suggested that the chairmen of various House committees would be interested in the findings. Norquist

himself indicated that “the report’s chief aim [was] to prod trade associations, lobbying firms, and corporations to hire more Republicans to represent them in Washington” (VandeHei 2002).

The project, according to reports, had been in the works for a number of years and was “expedited and expanded” once George W. Bush was elected president in 2000, giving Republicans control of both the executive branch and the legislature. Though it was presumably better coordinated in later years when the GOP expanded its control to the presidency, VandeHei points out that the pressure to hire Republicans was not unique to the late 1990s. He writes, “Ever since they won control of the House in the 1994 elections, some key Republicans such as Majority Whip [at that time] Tom DeLay (R-TX) have advocated aggressively tracking the political proclivities of lobbyists” (VandeHei 2002).

One newspaper article points out two specific examples of such pressure. In 1998, DeLay sought to prevent Dave McCurdy, a former Democratic member of the House, from heading up the Electronics Industry Association; in 2002, Senator Rick Santorum (R-PA) and J.C. Watts (R-OK), then chair of the House Republican Conference, expressed their distaste for Boeing’s decision to hire a former Democratic legislative aide as the head of the company’s D.C. office. An article in *The Washington Monthly* chronicled the GOP’s attempts to exert control over the lobbying community, highlighting the efforts immediately following the Republican takeover of the House in 1995. In particular, the account describes DeLay’s compilation of campaign finance records of the 400 largest PACs detailing the amount of money given to each of the parties in recent elections. According to the article, “Lobbyists were invited into DeLay’s office and shown their place in the ‘friendly’ and ‘unfriendly’ columns” (Confessore 2003). This example highlights the efforts of some GOP leaders to reshape the lobbying community to better serve its policy goals.

It is worth noting, though, that the recent Democratic victories in the 2006 elections have improved the job market for lobbyists with Democratic connections and pedigree. Even prior to the elections, Confessore noted that, “With thin Republican majorities in the House and Senate, a market for Democratic lobbyists remains and traditional bipartisan lobbying firms still thrive” (Confessore 2003). The pragmatism of many lobbying firms and trade associations can sometimes serve to mitigate the pressure they feel to meet the demands of the Republican leadership; as one lobbyist pointed out, “The Republican lobbyists under the new regime realize that there is a giant pendulum that swings as far back in one direction as it swings in the other. The most powerful and long-standing lobbyists understand that [the political process] is a long term game...and they don’t want to be hit by the pendulum [as it swings back].” The desire not to burn any bridges is a strong one for those lobbyists seeking a long-term career in politics.

A number of lobbyists interviewed for this project addressed the K Street Project; one in particular was directly affected by the changes. The president of one organization left his position after the election of President Bush in 2000, possibly given his strong personal ties to the Democratic Party. He was replaced by a colleague who had connections to the Republican Party and had cultivated these ties in his work for the group. When asked about the group’s work on HIPAA in 1996, this lobbyist said that the organization made an internal decision to have the group’s staffers with GOP ties meet with the majority party leadership. After the Republican success in winning the presidency, he said, the group experienced much more external pressure regarding the partisan affiliations of its lobbyists. Pragmatic strategy decisions, it seems, had been replaced by external politics.

After being publicly identified as a top Democratic fundraiser and subsequently criticized in some conservative news media outlets, this lobbyist stepped

down from his position at the head of the group, indicating that his personal political activism and the demands of his job were increasingly in conflict.⁴⁵ He described his organization as “bipartisan for a long period of time” but noted that “over time [the group] got pressure from the Republicans and growing encroachment into the organization.” The organization was subject to “very heavy-handed pressure to hire Republicans” which was one of his reasons for stepping down.

Other respondents, though not directly affected by the K Street Project, highlighted the effect it had on the hiring practices of various D.C.-based groups. One lobbyist remarked on groups’ conflicting desires for a bipartisan staff and the need for access to power players,

[The GOP leadership] had a list of every job opening in Washington ranked by importance and would intervene in the interview process...[This influence] affected groups [and who they felt] they could hire. [Ideally, groups] want to have a partisan balance in their staffing and have a strategy to be able to meet with both sides [of the aisle]. You don’t want to have bomb throwers working for you. You want people to go into a meeting and make their point in a nonpartisan way. Now, [for example], [groups] are holding off on hiring people until they know how the majority will go [in the 2006 midterm elections].

She continued, pointing out that Democratic lobbyists were often not hired because of their lack of access to key Republicans: “It has been a long cold winter for some Democrats. No one was hiring them up until recently because they are not viewed as useful because the Democrats [in Congress to whom they have connections] have become increasingly separated from the legislative process...Groups fear retribution [for hiring Democrats].”

In addition to feeling external pressure from Republican leaders regarding hiring choices, many groups viewed Republican staffers as an important component of

⁴⁵ In the interest of protecting the anonymity of the respondent, I have not directly cited the news article from which this background information is taken as the news article directly identifies the lobbyist by name.

the organization's adjustment to the new partisan balance in the House; these groups hired Republicans on their own accord. As pointed out in earlier chapters, access to legislators is an invaluable resource for interest groups and the lobbyists who work on their behalf. Groups with ready access to key players have a greater chance of shaping legislation; partisan ties are one avenue through which access can be granted and on which a long-term relationship with a legislator can be built.

The aforementioned lobbyist who was directly affected by the K Street project also pointed out that his group saw fit to let its Republican staff take the lead on certain issues. When asked about the organization's work on HIPAA in 1996, the lobbyist pointed out that his involvement in this issue was different than during previous Congresses; his work focused more on strategy planning and less on the day-to-day activities of lobbying like meeting with members of Congress and their staffs. One reason for this role, he said, was the fact that the Republicans were in control. This scenario meant that his Republican lobbyists took a much more active role and handled many of the political contacts on the issue. Presumably, these lobbyists would be more effective in working with the Republican leadership and committee chairmen and would also have greater access to these individuals.

Another organization also sought to beef up its ties to the Republican Party through staff hiring. A lobbyist for this small self-described bipartisan organization said that, historically, the group was "typically seen as more Democratic in its orientation." In an effort to counter that reputation, the group brought on a few Republican individuals to work with the organization. Another lobbyist who sat in on the interview, in fact, was a former Hill staffer for a Republican member; he was hired by the group in 1999 as part of these efforts.

Certain groups included in this project were directly affected by the K Street project, particularly when these efforts to influence hiring were increased after

President Bush's election. Other groups, however, sought out Republican staff without any such pressure in an effort to bolster their connections with the new power players in the House. Given the importance of access to legislators, such a step seems a natural choice for many groups, particularly those with bipartisan agendas and policy positions that are not constrained by partisanship.

Discussion of Results

This chapter reviewed the changing patterns of campaign contributions following the House reforms; it also outlined the effects of the K Street Project on a few of the groups in the health policy community. The campaign finance data demonstrates that increases to party leadership occurred after the reforms but they depended on group partisanship; it also provides evidence for small decreases in contributions for committee chairmen. Yet, the analysis does not overwhelmingly confirm the expected effects on contribution activity in all examined cases; only some results met my expectations. The pragmatic, long-term access approach to campaign finance is offered as an explanation for the lack of anticipated changes evident in this particular mode of interest group influence. The bipartisan hiring practices of many groups also came under fire following the GOP success in the 1994 elections. Again, the pragmatic concerns of some groups spurred them to proactively hire Republicans to leverage their access to the new power players in the House. Other groups felt direct pressure from Republican legislators regarding their hiring decisions; this pressure increased when the Republicans gained control of the executive branch.

The results presented in this chapter again highlight the importance of group access to legislators. The general consensus across the interviews was that donating money is an essential part of participating in the political process and gaining access to members of Congress. In particular, the lobbyists emphasized their focus on donating

to legislators in key institutional positions relating to their group's policy concerns; these legislators included members and chairmen of the health committees and subcommittees. Given the importance of money in the political system, it was reasonable to suspect that institutional change in the House would coincide with changes in group donation behavior; my expectations were correct in many cases. The decline of contributions to committee and subcommittee chairmen following the reforms was particularly compelling. Once these members of Congress had lost a substantial degree of autonomy from the majority party's control and were more beholden to the majority party's agenda, they also received fewer campaign donations from interested groups. This result, along with the other findings presented in my discussion, confirm that donations tend to follow power, wherever it may lie within the institution.

The importance of access became even more apparent in the discussion of group hiring practices. In order to shore up their access to prominent and newly powerful Republicans, many groups sought to hire lobbyists who could bolster these important relationships. One might be tempted to argue that this change in group behavior is more closely connected to partisan and not institutional change. Certainly, these changes would not have happened if the Republicans had not gained majority status in the chamber. Under these circumstances, the interest group community would have felt little pressure to increase their ties to Republican legislators. Yet the simple switch in party control does not offer as compelling an explanation as one that assesses institutional change as well.

In particular, the strong majority party control that the Republicans sought to exert over the committee system made Republican connections incredibly important. Had the GOP simply taken over control of the chamber, without implementing any major reforms, many interest groups might have continued work with Democratic

legislators and not sought to improve their relationships with the GOP leadership and committee chairmen. Strong Republican Party control and strong party discipline, however, indicated to the interest group community that progress was made through Republicans; these legislators had the power to get things done. Groups working only with Democrats would likely meet serious opposition. As a result, many organizations sought to increase their ties to Republican legislators. Institutional change created this unique environment – in addition to the change in party control. Thus, institutional change played an important part in explaining group behavior.

PART I:
CHANGES WITHIN THE HOUSE DIRECT LOBBYING
MODE OF INFLUENCE

Many reforms in the 104th Congress seriously weakened the autonomy of House committees. Table 6.1 outlines the effects of these changes, as presented in Part II of the dissertation. The focus here is specifically on changes in direct lobbying activity.

Table 6.1, Changes within the House Direct Lobbying Mode of Influence

Groups Adjustments in General	
<ul style="list-style-type: none"> • Despite its weakened autonomy, groups continued to work within the committee system for pragmatic reasons and due to dominant legislative personalities with the health policy community • Groups paid more attention to moderate House members • Term limits meant groups devoted more resources to the policy education of incoming committee chairmen and staffs • Term limits jeopardized interest groups' long-term relationships with legislators working on health policy 	
Effects of Group Partisanship	
<ul style="list-style-type: none"> • Working with majority party leaders became more important for Republican-leaning groups • Groups with access to the new House leadership sought to develop and maintain working relationships with these powerful legislators 	
Effects of Group Resources	Effects of the Nature of the Issue
<ul style="list-style-type: none"> • Working with majority party leaders is most important for those groups with resources that grant them access to these legislators • Groups with more resources at their disposal pay more attention to House rules and procedure • The distinction between full and subcommittees matters less for groups with greater resources • Long-standing relationships are an especially important way for groups with limited resources to gain access to legislators 	<ul style="list-style-type: none"> • For issues with extra-committee processes like task forces, committee chairmen and members were less important to groups than the leadership who oversaw each party's task force • Leadership involvement is greater on high profile, politically motivated issues

Like the changes presented in Part I, the reforms described here varied in the extent to which they affected interest groups. In some cases, groups uniformly reacted; in others, those with greater resources or different partisan affiliations had to adjust differently than those groups with different characteristics. Issue-specific concerns also had an impact of how groups lobbied the House. Evidence in support of each of these changes is discussed in detail in Chapters Six and Seven. The table is provided here as a summary of the reforms in total.

CHAPTER SIX

WORK WITH PARTY LEADERS AND THE COMMITTEE SYSTEM

This chapter assesses the nature of group relationships with party leaders and prominent members of the committee system. I argue that the decrease in committee autonomy affected groups in two ways. First, following the reforms, legislators in the Republican Party leadership became increasingly important to those groups who had a tendency to align with the GOP. Democratic and nonpartisan groups did not value these legislators as strongly. Second, the relative importance of committee and subcommittee chairmen declined after the reforms, but this was mitigated by three important factors: the pragmatic approach of many lobbyists to the legislative process, the long-term working relationships developed between interest groups and the committee system, and the unique personalities of many leaders within the health policy committees.

Relationships with House Leadership relative to Committee and Subcommittees

Relative Importance of Leadership and Committees

The reforms outlined in Chapter Two collectively weakened the ability of the committees to independently influence legislation. Such circumstances alter our expectations for how interest groups may approach their direct lobbying of the House of Representatives. Given the strong control that majority party leaders had over the agenda and the content of bills coming out of committee, one expectation is that groups should view members of the majority party leadership as particularly important. Lobbyists should identify the members of the majority party leadership as key players in the legislative debate; as a result, groups would want access to these members. Likewise, given the decreased ability of committee chairmen and

subcommittee chairmen to effectively shape legislation, groups should slightly devalue these legislators.

Certainly, caveats to these hypotheses exist. Regardless of how strong majority party leaders may become, committee chairmen will always be involved in the issues that pass through their committees. These members very often demonstrate more policy expertise in matters under their jurisdiction than party leaders, making groups seek them out despite strong party control. Committee chairmen may also differ in the relationships they have with subcommittee chairmen. These varied arrangements tend to affect how interest groups will approach each committee.

Also, as many lobbyists interviewed for this study pointed out, leaders tend to get most involved in issues that are characterized by their high profiles and political maneuvering; alternatively, party leaders may not get deeply involved in issues that are dominated by arcane policy language and details. A lobbyist for a bipartisan group said her group did not work with party leadership much on the HIPAA legislation because “it was detail-oriented and leadership doesn’t do this sort of thing.” Each of these circumstances is addressed below; their existence, however, does not change the fact that – under the post-1994 House structure – committee and subcommittee chairmen had substantially less autonomy than in previous Congresses. As such, we would expect groups to place less importance on these legislators, especially relative to party leadership.

In each interview, lobbyists were asked a series of questions to elicit how much the group valued a given legislator or a specific institutional position in the House. Respondents were asked these questions for each of the issues included in the study. Each lobbyist was shown a list of the committee and subcommittee chairmen of the three committees most relevant to health policy: the Ways & Means Committee and its Subcommittee on Health; the Education & Labor Committee and its

Subcommittee on Labor-Management Relations; and the Energy & Commerce Committee and its Subcommittee on Health. The list also included the Speaker of the House and the chairman of the House Rules Committee. Party leaders, whips, and party caucus chairmen of both the majority and minority parties were listed as well. Respondents were asked the following question: “Which of these legislators – or any others you might remember – were viewed as most important to your office’s success on this issue? Why?”

Lobbyists were also shown a list of traits a legislator can possess that may make them attractive to an interest group. The list included a member’s committee positions: holding a seat on a key House health committee or subcommittee; serving as chairmen or ranking member on one of these committees; or having high seniority on these committees. The document also listed serving on the leadership team of the majority or minority party. In addition to these institutional positions, the list included individual characteristics: substantial health policy expertise; strong influence over other legislators in the House; a long-standing relationship with an organization; and, finally, a constituency with strong connections to a group’s membership. When presented with this full list, each lobbyist was asked, “Which of these traits mattered most to your office’s decision to contact a legislator on this issue?”

The lobbyists’ responses were later coded into a dataset. For the first question, each group was given a score of one or zero, indicating whether or not they mentioned a specific member of the House as particularly important for their group’s work on each issue. The following categories were used: Majority Leadership; Minority Leadership; Committee Chairman or Ranking Member; Subcommittee Chairman or Ranking Member. For the characteristic question, a similar dummy variable was given for each of the following categories: serving in any capacity on a committee;

serving in any capacity on a subcommittee; serving within the majority party leadership; and, finally, having expertise or experience in health policy.

An initial analysis of the frequency of these responses indicates that our expectations are partially confirmed. Table 6.2 presents the percentage of responses in which a lobbyist identified a specific individual, holding the position in the left-hand column, as a key player on each issue under study. Given the powerful role of the majority party, it is expected that groups would increasingly identify these men as key players after the House reforms. The percentages below demonstrate this was not, in fact, the case: while nearly 69 percent indentified majority party leaders as key players prior to the reforms, only about 60 percent did so afterwards. The same is true for minority party leaders, 47 compared to 38 percent.

Table 6.2, Percentage of Positive Responses, Specific Legislators

Position Held	Pre-Reform	Post-Reform
Majority Leadership	68.8%	59.5%
Minority Leadership	46.9	38.1
Committee Chairman or Ranking Member	90.6	76.2
Subcommittee Chairman or Ranking Member	87.5	64.3

Because the scale of responses is one to zero, the percentages – when divided by 100 – also represent the mean responses for each category. A difference of means test comparing the average responses for each of the leadership categories confirms that there is not a statistically significant difference – in either direction – before and after the reforms; the p-value for majority leadership is roughly 0.8 for majority leadership and 0.7 for the minority party.

My expectations for the committee and subcommittee positions are, however, confirmed. Legislators in these categories exhibited a dramatic decline for the post-reform issues. Given the decreased influence of committee subcommittee chairmen, it is reasonable that fewer lobbyists would identify them as key players. Prior to the reforms in the 104th Congress, committee heads were identified as key players in nearly 91 percent of the responses. That number fell to approximately 76 percent after the House restructuring. Subcommittee chairmen and ranking members saw a decline of over 20 percent, from 87.5 to about 65 percent. A difference of means test for the committee categories confirms that these differences are statistically significant. The p-values for these tests indicate a low probability of finding these results under the null hypothesis; the p-value is 0.05 in the case of committees and 0.01 in the case of subcommittees.

The results for the second question – about a legislator’s traits – yielded less promising initial results. As shown in Table 6.3, the responses highlighting party leadership as an important trait again declined after the reforms, from 53 to about 48 percent. While the responses for the committee and subcommittee categories decreased as hypothesized, the difference of means tests do not demonstrate any statistical significance.

Table 6.3, Percentage of Positive Responses, Legislator Characteristics

Trait	Pre-Reform	Post-Reform
House Majority Leadership	53.3%	44.7%
Committee Position	90.0	84.2
Subcommittee Position	56.7	50.0

Though the results above offer some support for the hypothesized responses to the House reforms, a more nuanced analysis will better illuminate how groups reacted to the weakened ability of committees and their chairmen. The next section focuses entirely on interest groups and majority party leadership. Following that discussion, the focus turns to committee and subcommittee chairmen.

Majority Party Leadership

In the aggregate, the lobbyist responses do not indicate that the majority party leadership was deemed more important following the reforms. The percentage of lobbyists identifying the leadership of either party actually declined for the post-reform issues. The relative value of majority party leadership to a group, however, may vary across the group's partisan alignment. As discussed in detail in Chapter Four, many Democratic-leaning groups felt shut out of the House legislative process following the Republican takeover. Thus, while the majority party leadership may have been the key to legislative success, certain groups had little access to these individuals. As a result, the lobbyists may have discounted them as "key players" on an issue simply because they had no opportunity to influence them.

To further test these hypotheses, while simultaneously accounting for group partisanship, a logit regression was performed to estimate the probability of this response from each lobbyist. The model was estimated separately for each category of partisan alignment. Two independent variables were used. The first among these is the variable of particular interest to this study: a dummy variable for whether the issue under consideration was before or after the House reforms.

Many lobbyists interviewed for this project indicated that smaller groups with fewer resources had less access to party leaders. In order to account for this tendency, the second independent variable measures the degree to which an organization's

available resources influence a group's work with party leaders. The dataset created for this analysis included three variables that could potentially serve as a proxy measurement for a group's resources: staff size, budget, and the size of a group's membership. Staff was selected for this regression because it is the most accurately measured of the three and is strong positively correlated with the variables measuring budget and membership size; the p-values for each of these correlations are roughly 0.00.

The results are presented in Table 6.4. The dichotomous dependent variable is based on the results for the interview question about specific legislators. If a group mentioned an individual in the majority leadership, it was given a value of one. If they did not, it was coded with a zero. The same method was used for the minority party. Since the dependent variable is dichotomous, a logit regression was estimated. Because logit coefficients cannot be interpreted linearly, the actual numeric value gives little indication of the strength of a variable. The most important element of the coefficient is its sign, indicating whether an increase in the independent variable is associated with an increase or decrease in the probability of a lobbyist identifying a member of party leadership as an important point of contact for an issue.

A number of important results become clear regarding the connection between the House reforms and the likelihood of a group valuing party leadership. First and foremost, the results are statistically significant for each reform variable, except in the case of nonpartisan groups and minority leadership. Democratic-leaning groups significantly decreased the likelihood of identifying majority leadership as key players after the reforms; the coefficient for the reform variable is negative, which indicates a decline after the changes were made to the House. Additionally, the reform coefficient for the minority leadership is positive and significant. This result suggests

that Democratic-leaning groups increasingly valued their work with the minority side once the Democratic Party was in that position.

Table 6.4, Robust Logit Coefficients by Partisan Alignment,
Importance of Party Leadership
(p-values in parentheses)

Dependent Variable	Independent Variables	
	Reform	Staff
<i>Democratic-leaning</i> (N=12)		
Majority Leader	-2.54 (0.04)	0.01 (0.03)
Minority Leader	4.39 (0.00)	-0.02 (0.00)
<i>Nonpartisan or Bipartisan</i> (N=31)		
Majority Leader	-1.54 (0.04)	0.00 (0.36)
Minority Leader	0.65 (0.35)	-0.00 (0.32)
<i>Republican-leaning</i> (N=31)		
Majority Leader	1.28 (0.03)	-0.00 (0.99)
Minority Leader	-2.45 (0.01)	0.00 (0.62)

Nearly the same results apply to the lobbyists of nonpartisan or bipartisan groups. The reform coefficient for majority party leadership is negative and statistically significant. This indicates a decreased probability of identifying the GOP leadership as key players compared to the Democratic leadership prior to the 104th Congress. Since the reform coefficient for the minority party leadership model is not significant, no conclusions can be drawn.

These results are strongly confirmed by the anecdotal evidence presented in earlier chapters which suggested that Democratic-leaning groups found themselves

unable to gain access to the new GOP leadership. As a lobbyist for a large well-respected nonpartisan group said, “We had a symbiotic working relationship [with Gingrich], but we did not meet with Armey or DeLay in the leadership because they were extremely ideological and considered our group the enemy.” The results are not, however, consistent with our expectation that the majority party leadership would gain importance in the eyes of interest groups. Instead, the majority party leadership gained this importance only in the eyes of the groups inclined to align themselves with the GOP in the first place.

As the table shows, the reform coefficient for the Republican-leaning model is positive for majority party leadership, which suggests a higher probability of identifying majority leaders as key players after the GOP took over. The coefficient for minority party leadership shows the opposite, as expected. These groups were less likely to work with the minority side once that was the Democrats.

The above discussion demonstrates the mitigating effect that a group’s partisan alignment had on the effects of the House reforms. Strong majority party control implied that groups would find greater value in working with the party leaders exercising that control in the House. This was only the case, however, among Republican groups who had ready access to the new leaders. Despite the increased importance of the GOP leadership, Democratic-leaning groups did not grow to value these legislators more. Instead, perhaps because they lacked access to these individuals, they increasingly valued the minority party leadership with whom they shared policy goals.

Given this evidence, it is worthwhile to investigate how much more the Republican-leaning groups valued the Republican Party leadership once it had such strong control over its members. Comparing the predicted probabilities from the estimated models is one way to examine this relationship. The average predicted

probability that a Republican-leaning group's lobbyist would highlight the GOP leadership for its work before the reforms is 0.429; after the reforms the probability increases to 0.594. A difference of mean test between these two values strongly suggests that the means of the two groups are not equal and that the pre-reform values are significantly lower; the p-value is 0.00.

While not as overwhelmingly supportive as the predicted probabilities from the model might suggest, the actual interview data indicate a similar trend. For the issue prior to the reforms, seventy-two percent of the lobbyists for Republican-leaning groups identified GOP leadership as key players. That number increased by three percentage points to seventy-five percent for the two issues after the reforms. Thus, we can conclude that the Republican-leaning groups did increasingly identify GOP leaders as key players in the legislative process *after* the House reforms and the subsequent strong party control. Similar policy preference is not the only explanation; institutional control over the chamber also mattered.

To summarize, majority leaders garnered more attention and respect from interest groups once they exerted more control over the chamber. This change in attention and respect was not, however, uniform across all interest groups; it was most profound among Republican-leaning groups who could more easily work with the new majority. Those groups without ready access to the stronger leadership did not demonstrate increased attention to the majority. In the case of Democratic-leaning groups, they strengthened their work with the minority party.

The results in Table 6.3 do not overwhelmingly support my expectation that a group's resources influence their likelihood of identifying either party's leadership as key players. As the table indicates, the only statistically significant results for the staff variable are those for Democratic-leaning groups; those coefficients are opposite of the anticipated direction. The fact that an organization's resources have little effect

how that group *views* party leadership, however, does not mean that resources have no effect on whether or not that group can effectively *work* with party leaders.

The following comments demonstrate how the resources available to a group can also mitigate the effect of the House reforms. The increased power of majority party leaders matters most for those groups that possess the resources that enable them to work with party leaders. In some cases, the smaller size of an organization can mean that easy access to the leadership is unavailable. One lobbyist for a small GOP-leaning group described his group's meeting with party leaders as "infrequent" and pointed out that his group is "a small organization and access to the leadership is tough." In part, this access is not granted because smaller groups are unable to offer the leadership what it wants on an issue: enough votes in Congress to get a favorable outcome. Another lobbyist for a small Republican-leaning organization said, "As an organization, [our group] is not big enough to really deliver on votes, so we didn't meet too much with leadership."

The opposite can be said for those groups with substantial resources. The director of lobbying for a nonpartisan organization known for its clout among politicians said, "Generally, if [our group] wants to get together with people, [members of Congress] will meet with us." Thus, the resources available to an organization can shape their relationship with party leadership as well, regardless of the institutional balance of power.

Overall, the regression results demonstrate a distinct difference in group perceptions of party leadership before and after the reforms. Attributing these changes causally to the institutional reforms, however, is not something that the model clearly accomplishes. Instead, we turn to the anecdotal evidence from the interviews for clarification. Here, the lobbyist comments indicate that the changes can, in fact, be partially attributed to the effects of the new rules and norms in the House.

In support of my hypotheses, many lobbyists commented that the majority party's control over legislation, especially relative to the committee system, influenced the way they lobbied in the House. Certain respondents indicated that the standard process by which they approached lobbying had changed under the new Republican House arrangements. Rather than beginning their work at the subcommittee level, where the legislative process traditionally begins after a bill has been introduced and referred to committee, many groups went straight to leadership. The lobbyist for a mid-sized nonpartisan group said, "Now, you have to go to leadership to say what you want to do and get their backing. Then you have to go to convince the House chairman and then subcommittee chairs. It used to work bottom up....[now] it's like you even have to go to Rules before the committees."

Another lobbyist for a small Republican-leaning organization said, "At the macro level, [after the reforms] the group's attention was focused at the leadership, chairmen, and subcommittees in that order. There [were] more players involved. Before [the reforms], the subcommittee level came first, then the committees, then *maybe* leadership" (emphasis added by author). Taken together, these comments imply two things: first, that majority party leadership took a far more active role in the details of legislation. As a result, groups had to touch base with them more than during previous Congresses. Second, many groups found themselves seeking out the advice and influence of party leadership much earlier in the legislative process than was typically the case when the Democrats controlled the chamber.

The more powerful House leadership also gave lobbyists an additional outlet to change legislation should they not get what they wanted out of a committee. For example, a lobbyist for a large Republican-leaning group pointed out that prior to the House reforms, the "subcommittee was the primary crafter of legislation. This is less the case now." He continued, "Now, there is...an appeal process to the leadership...If

you don't like a committee chair's actions, you can appeal to the leadership and perhaps the leadership can push the Rules Committee [to get an outcome more preferable to the group]." Certainly, relying on the majority party leadership to step in and block or change legislation is a luxury afforded only to those groups with similar policy goals to that of the Republican Party. Having such an outlet though, as this lobbyist pointed out, was an important change for how these interest groups worked with – or against – the committee system and its leaders.

Finally, some respondents indicated that, once the majority party had strong control over the committees, they proactively sought to strengthen their relationships with majority party leaders. A lobbyist for a mid-sized trade association said the following: "After 1994...the [committee] chairs had less power and leadership had lots more control over the agenda...In light of those changes, [our group] wanted to make sure we had access to the Speaker and majority leader. You do that through your PAC, but you also get some outside lobbyists to help you open some doors and plan strategy."

He continued, "Typically, these are ex-Hill members or ex-Senators on a first name basis with the folks in power. They will get their phone calls returned or will get the phone call from the decision-makers [seeking the group's input] before the decision is made." Much like the hiring practices and the K Street project discussed in earlier chapters, it appears some groups sought to bolster their relationship with the powerful majority leaders by seeking external help from those individuals with the "right" characteristics – those that could get the organization access to powerful policy-makers.

A prominent theme across all of the interviews conducted was the powerful and dominant personality of the new Republican Speaker of the House. As noted previously, Republicans attributed the success of the 1994 elections to Gingrich and,

as a result, were willing to give him strong control over the party agenda and the content of legislation. The unique dominance of Gingrich also had an important effect on how interest groups approached the new Republican majority leadership. The Speaker's strong interest in health policy and his knowledge of the issue was particularly important for organizations with similar concerns.

Organizations of all ideologies and sizes went out of their way to become familiar with Gingrich and his staff. A lobbyist for a large nonpartisan group pointed out his organization's response to Gingrich's control: "The authority of the Speaker changed the dynamics in the caucus and made members more responsible to the leadership – for funding or otherwise. [Our organization] went straight to Gingrich to develop a relationship with him after the election." Another large organization with state affiliates pointed out "[the group's] Georgia people [from Gingrich's home state] became very important to our national organization and came to D.C. a lot."

Certainly, most groups would seek out a strong working relationship with the incoming leaders of a new majority party. Yet Gingrich's dominant personality, personal interest in health policy, and strong control of the GOP caucus and committee system made cultivating relationships with the Speaker, his staff, and the rest of the majority leadership especially important for groups hoping to be effective. The lobbyist for a small nonpartisan group pointed out that they sought to develop a relationship with Gingrich through their membership. He said, "Mr. Gingrich was a very important player as Speaker. We had access to him through local constituents so we took advantage of that...Our relationship with Gingrich helped stop a [bill with adverse consequences for our membership]."

The influence of each Speaker's unique personality and leadership style is echoed in the lobbyists' comments about the new environment after Dennis Hastert

took over as Speaker. A lobbyist for a large Republican-leaning organization pointed out,

The Contract with America was a catalyst for taking power away from committee and leadership became much more important. In the last couple of years, even though Hastert still rules with a heavy hand, he does pay more attention to committee chairs and only injects himself in the process when party principles are at stake.

Another lobbyist noted that because of Gingrich's interest in health issues, "the leadership played a much larger role [after the Republicans gained majority status]. [Gingrich] was a much more active participant, brokering many deals.... This was much less so after Hastert took over." A lobbyist for a small trade association summarized the situation as follows: "In recent years...the current speaker [Hastert] is much more behind the scenes. The role of the leadership varies according to the personality of the Speaker and his tendency to exert his power." Thus, the reforms introduced in the House were closely tied to the unique strength of Gingrich in his role as House Speaker.

The data analysis presented above implies that majority party leadership became increasingly important under the reformed 104th Congress and beyond. This is due in part to the reforms themselves and the increased importance of party leadership. It was also due to the dominant leadership style of Speaker Gingrich – a leadership style which also partially explains the reforms in the first place. There is no doubt that the interest group community recognized the increased power of the majority party leadership and responded in kind. Groups of all size and partisan persuasions sought to further develop their relationships with majority party leaders and Gingrich in particular.

Committee and Subcommittee Chairmen

Table 6.2 earlier in this chapter presented data on the lobbyists' responses to a series of questions about the key players on the issues selected for this study. As shown there, prior to the reforms, 90.6% of the groups identified the committee chairman or ranking member of a relevant committee when asked "Which of [the legislators on this list] were viewed as most important to your office's success on this issue?" When asked about those issues after the reforms, that number dropped to 76.2 percent. Since the data was coded as a dummy variable of zero or one, these percentages are also the mean responses for the pre- and post-reform eras. A difference of means tests indicates that this decline is statistically significant with a p-value of 0.05.

The same can be said of the responses mentioning a subcommittee chairman or ranking member. Eighty-seven percent of the groups identified these individuals as key players prior to the reforms; on the post-reform issues, roughly 64 percent did so. Again the decline is statistically significant; the p-value is 0.01.

Table 6.5 presents the results of two logit regressions designed to model the probability that a group's lobbyist would mention a committee or subcommittee chairmen when asked the aforementioned question. Again, a logit model was used because the dependent variable is dichotomous. Three independent variables were used in the regression: a dummy variable for House reform and two control variables: an organization's staff size and a group's partisan alignment. Partisan alignment is based on the lobbyist's own classification; it is measured on a scale of -1 to 1. A score of -1 indicates a tendency to align with the Democrats, a zero indicates that the lobbyist described the group as nonpartisan or bipartisan, and a value of 1 was given to those groups aligning with the GOP.

Unlike the majority and minority leadership results, this model was not estimated individually for each category of partisanship. Because the lobbyist responses were coded for mentions of both committee chairmen and ranking members, concern over policy agreement or access is less of an issue. As noted before, the sign of the coefficients is most important. Logit coefficients are not linear, so I cannot get a sense of these variables' impact based solely on their value. The sign of these coefficients, however, does indicate whether an increase in the independent variables is associated with an increase or decrease in the dependent variables. In the model for committee chairmen and ranking members, the reform coefficient is, as expected, negative. The result suggests a decline in the lobbyists' mentions of legislators holding this position after the House reforms. The coefficient is also statistically significant at the 0.10 level; the reported p-value is 0.09. The same results appear in the subcommittee model; again, the coefficient is negative and statistically significant. These findings suggest that, following the reforms, groups were less likely to identify committee chairmen and ranking members as key players on an issue. This is consistent with my expectations for group reactions to a committee system in decline.

Table 6.5, Robust Logit Coefficients,
Importance of Committee and Subcommittee Chairmen
(p-values in parentheses)

Dependent Variable	Independent Variables		
	Reform	Staff	Partisanship
Committee Chairman or Ranking Member	-1.18 (0.09)	0.00 (0.12)	-0.72 (0.08)
Subcommittee Chairman or Ranking Member	-1.46 (0.04)	0.00 (0.79)	0.27 (0.53)

(N=74)

While the above statistical analysis offers support of the expectation that committee and subcommittee chairmen declined in importance following the House reforms, the anecdotal evidence and comments from the lobbyist interviews provide a more complicated picture. While, overall, the lobbyists may have highlighted committee and subcommittee leaders less frequently as key players in the legislative process, three factors serve to mitigate the effects of these reforms. The first of these factors is, simply put, pragmatism. Despite the fact that majority party leadership had tight control over committee chairmen, who in turn had tight control over subcommittee chairmen, the details of legislation were still largely worked out at the committee level. Thus, groups continued their work with these members of Congress.

Second, groups have an investment in the long-term relationships they have developed with individual members of Congress, especially those on committees with jurisdiction over health policy. Lobbyists have good working relationships with the staff of these committees as well. Given the importance of simply having access, interest groups have a strong incentive to continue to rely on these relationships despite a change in House norms and organization.

The third mitigating factor – like the above discussion of Speaker Gingrich – concerns the importance of personality. Despite the weakened autonomy of the House committee system, certain chairmen of the House committees and subcommittees on Health retained their reputation among lobbyists as dominant personalities with substantial power over the legislation in their jurisdiction. Thus, interest groups continued to value their access to and work with these men. Each of these three topics are addressed in the remainder of this chapter.

As described above, the new majority party leadership increased its control over the legislative process and subsequently weakened the autonomy and power of the committee system. Despite this new institutional arrangement, however, a large

number of the lobbyists interviewed for this project indicated that their organization still worked extensively at the subcommittee and committee level. Though the new majority leaders may have exerted strong control over the legislative agenda – and at times even the content of legislation – the details of each bill were still mostly worked out in subcommittee and committee. One lobbyist for a large nonpartisan organization said the following about her group’s work with the committee system on most any issue: “Meeting with committee and subcommittee members and their staff was absolutely key. This was something the group did all the time as part of a routinized process of maintaining constant contact [with these legislators].” The lobbyist for a mid-sized nonpartisan group said, “[For each issue] we contact everybody on the committees and let them know our position. We deal with the key staff of the people on the majority and minority parties on the committees.” While they might have had less influence over the outcomes in committee, many lobbyists still valued their work at this level.

Despite the fact that the reforms reigned in the subcommittees and consolidated control under the chairman of the full committee, many lobbyists indicated that their subcommittee work was still very important. As one lobbyist for a small Republican-leaning group said, “We want to get the language of the bill right as soon in the process as possible.” Each respondent was asked if his organization concentrated its work at the subcommittee or full committee level for each of the three issues. The results are presented in Table 6.5; they indicate little difference before and after the House reforms.

For the direct lobbying prior to the changes, about 45 percent of the lobbyists indicated that their work concentrated on the subcommittee level. For issues in the 104th Congress and beyond, that number dropped only slightly to 41 percent. The percentage of respondents indicating their work was focused on the full committee

was roughly 17 percent both before and after the reforms. Thus, while the subcommittee chairmen may have had less freedom from the committee chairs, lobbyists still viewed them as important components of the legislative process.

Table 6.6, Relative Importance of Subcommittees versus Committees ¹

	Subcommittee	Committee	No Distinction
Pre-Reform	44.8%	17.2%	31.0%
Post-Reform	41.2	17.7	32.4

¹The numbers in each row do not sum to 100.00% because some lobbyists indicated that this distinction varied across committees. This topic is addressed later in this section.

The distinction between full and subcommittees also mattered less for groups with substantial resources that give them the ability to fan out and cover many members of Congress for each issue. At two of the largest organizations, one Republican-leaning and another nonpartisan, lobbyists were assigned specifically to a House or Senate committee. In the case of one group, two lobbyists were assigned; one was responsible for the majority side and the other worked with the minority party. The lobbyist for this organization indicated that the staff was organized in this way in order to foster strong relationships between its lobbyists and the committees with jurisdiction over their issues of concern.

The lobbyist for the other organization commented, “The distinction between subcommittee and committee or just holding a seat doesn’t really matter all that much. [Our organization] is big enough that we can cover everyone, all 535 offices. We have the luxury of not having to pick and choose.” These comments indicate that those groups with sufficient resources are less subject to the changing power dynamics in the House. If an interest group has the organizational capacity to contact all of the key

players on an issue, changes in the balance of power across these key players is not especially relevant.

The members of a given committee, and especially a subcommittee, tend to have a level of issue and policy expertise that is far greater than those of other House members. As one lobbyist pointed out, “Knowledge and positions of power on health issues tend to coincide.” That is, powerful legislators – those with the greatest ability to change legislation – are quite often those who know the most about the issues; they achieved these powerful positions because of their expertise or their seniority and subsequent familiarity with the issues. The legislators on subcommittees in particular tend to have a great deal of expertise which makes them especially important for an interest group to seek out. The lobbyists’ comments indicate that their knowledge of policy makes subcommittee and committee members important House contacts despite their diminished capacity to act independently of the majority party.

In addition to being a bastion of policy expertise, the subcommittees and committees are also those places in which lobbyists and interest groups have cultivated long-term relationships with specific members of Congress, their personal staffs, and the staffs of the committees that deal with the majority of health policy concerns. Because the Ways & Means and Energy & Commerce committees have jurisdiction over a wide range of health legislation, the interest groups involved in these issues work with the chairmen and members of these committees on a very regular basis. As one lobbyist for a Republican-leaning organization pointed out, “Lots of [our group’s] issues are automatically referred to the Ways & Means and Energy & Commerce committees, so you build relationships there.” He continued, “We were used to these staffers calling on [the group] for our input...We tended to have more access and a symbiotic relationship here.”

The majority of an interest group's work is done at the staff level rather than directly with a member of Congress. Lobbyists from a wide range of groups indicated that, as one lobbyist of a mid-sized Republican-leaning organization put it, groups "tend to have more relationships with staff than any specific legislators." A lobbyist from a large nonpartisan group said bluntly, "We hardly ever meet with members. Ninety-five percent of the work is done at the staff level." Relationships develop over time as lobbyists work with staffers on a wide range of issues. A lobbyist for a mid-sized nonpartisan group indicated she and the other lobbyists for her organization see staff on a very regular basis and are constantly talking about a wide range of issues both in person and over the phone.

These sorts of relationships are extremely valuable to any lobbyist or interest group; they represent a necessity for any lobbying success: access to important decision-makers. Given the investment interest groups and their lobbyists have in these relationships, the degree to which they value them, and the ready access to Congress these relationships provide, it seems unlikely that groups would willingly sacrifice these lobbying opportunities. Thus, while the internal power dynamics and institutional arrangements in the House may have changed, an interest group's preference to work with committee and subcommittee members and, especially, their staff remain largely the same.

A number of groups also have close connections to legislators through their membership and the individuals they represent. Many of the trade associations within the healthcare industry have members of Congress who formerly worked in these professions. For example, there are legislators in the House who formerly worked as doctors and dentists. Similarly, groups like the National Council of State Legislatures have former state legislators now serving in Congress – members on whom they can call and to whom they presumably have access.

The importance of these sorts of long-term relationship became quite evident throughout the interviews. Overall, thirty four groups were included in the study and the representatives for these groups were asked about that office's work on three issues. In all, data was collected on seventy-four observations, with each observation defined group by issue.⁴⁶ In roughly twenty-one percent of these cases, the organization's lobbyist mentioned a specific legislator in Congress with which the group had close ties and with whom they frequently worked on health care and other issues of concern.

Smaller groups and those with limited resources especially value these relationships and the ready access to members of Congress they provide. As one lobbyist for a small organization said, "Our group is relatively small with minimal resources, so we tend to work with members who we'd worked with before...Longstanding relationships and constituency connections are extremely important for a small organization...[One particular legislator] was a former board member of one of our member organizations, so we worked with him..." These comments highlight just how valuable lobbyist-staff relationships can be for an interest group.

One important change implemented by the new Republican majority in the 104th Congress concerned the staffing arrangements of the committees. Rather than having separate and independent subcommittee staffs, the staffs of these committees were consolidated under the control of the full committee chairman. A number of lobbyists interviewed for this project indicated that this change had important implications for how much they valued their work with the subcommittees and how effective these lobbyists felt this work could be. As the lobbyist for a large

⁴⁶ This number of observations does not equal the 34 groups multiplied by the 3 issues, or 102, because some groups did not lobby on all three issues and, in some cases, lobbyists could not be scheduled for an interview.

Republican-leaning trade association said, “[After the changes], the staff worked for the full committee chairman. The subcommittee chair might be favorable [to your group’s position on an issue] but then the staff does what the chairman wants [despite the subcommittee chair].” The lobbyist from a smaller nonpartisan organization pointed out the same dynamic: “[Certain committees] had a top-down driven agenda. The subcommittees paled [in the legislative process] at this point. [Staff] were paid and employed by the full committee.” He continued,

There was shift to a full committee focus [after the House reforms]. In 1993-1994, we met with [the committee chairman]’s people about six times and with [the subcommittee chair]’s weekly. In 1995, the chain was yanked. It came back towards more of a balance but never to its pre-1994 level. We do pay attention to the subcommittees but not to the degree we did before [the reforms].

This particular reform does seem to have dissuaded some interest groups from focusing their work at the subcommittee level. Yet these groups did not, however, abandon the committee system altogether. Instead, they focused their efforts on the full committee.

These new staff dynamics are also closely connected to the power of committee and subcommittee chairmen relative to one another. A common theme across all of the interviews concerned the varied relationships between the chairmen of a committee and their subcommittee chairmen, depending on which Health committee was discussed. Following the Republican electoral victories in the 1994 elections, for example, the chairman of the Ways & Means Committee was Bill Archer (R-TX). Bill Thomas (R-CA) served as the chairman of the Ways & Means Subcommittee on Health. One lobbyist for a small Republican-leaning organization said the following of these two men, “[Our organization] did have to work closely with the leadership once it was stronger but our focus was really on the committee structure. This was

driven by...the personalities involved. Archer and Thomas were very effective, so the leadership gave them more running room.”

The powerful personality of Bill Thomas in particular was often mentioned by the lobbyists as an explanation for why the subcommittees remained important players following the reforms. A lobbyist for a large nonpartisan group indicated that both Archer and the Republican leadership deferred to Thomas on health issues. One respondent working for a mid-sized Republican-leaning group said the following, only somewhat jokingly, about the subcommittee chairman: “Thomas may not have lost any votes in the full committee when he brought something up. The full committee rarely turned him down.” A long-time lobbyist for a large nonpartisan organization described Thomas as “smart, comprehensive, and the meanest man in Congress.” The same respondent also said he was “brilliant, a force of personality and intellect...[He] dominates any process that he chooses to be involved in.” Given that many lobbyists attribute so much personal power to this particular subcommittee chair, it is only natural that interest groups would continue to highly value their work at this level and with the committee system in general.

The command that committee and, especially, subcommittee chairmen had over the issues had important consequences for the degree to which a group’s lobbying behavior was affected by the House reforms. While the Republican changes may have shifted overall power from the subcommittee chairs to the full committee chairmen, the reaction to this shift in the health policy community was mitigated by the dynamic personalities that head up the committees with jurisdiction over health issues.

One lobbyist pointed out that the distinction between full committee and subcommittee also “depends on where the bill is. [Our group] moves from one point in Congress to another and it’s not always a linear process.” This sense of pragmatism – following a bill through all possible points of entry – was a prevalent theme across

the lobbyists' comments, indicating that they would not suddenly adjust or abandon lobbying strategies in light of House reforms. This lobbyist, who worked for a small non-partisan group, continued, "It all depends on where you are in the legislative process. We'd start at the subcommittee if there were hearings there and then move on to the full committee. We just react to where the legislation is."

Another lobbyist echoed these sentiments, "In the congressional process, people become primarily important during the course of legislation. For example, subcommittee members matter early [in the process]. [The group must decide] where certain legislators are in the pecking order." In short, the movement of legislation through the chamber also dictates who interest groups view as particularly important; the larger institutional arrangement of the House matters less for these lobbyists. They are, for the most part, concerned with the nuts and bolts of committee and subcommittee work.

The anecdotal evidence presented above supports the argument that, despite the fact that the committee system had been weakened relative to majority leadership, most interest groups continued their work at these levels for the pragmatic reason that this is where the bulk of the work gets accomplished and where they have developed useful relationships with members and staff. A number of lobbyists indicated that, while they were aware of the shifting balance of power between party leaders and the committee system, they did not drastically alter their lobbying strategies.

The director of a mid-sized nonpartisan organization said, "We still respected the committee structure perhaps in disbelief that the normal course of events was altered. Even in my current approach, we still respect the process by which things get vetted." He described the committee system as "where you have to start" and continued, "You still need votes and [every piece of legislation] has to get out of committee." The lobbyist for a large nonpartisan group said, "Power did pull away

from the committee chairs in a strategic sense, but day-to-day, it still meant that the committees were the key for drafting legislation.” She pointed out, though, that the group fully recognized the weakened autonomy of the committees: “After the changes, we still worked with the staff of the committees and subcommittees. We just shared in their frustrations that they couldn’t set their own agenda.”

Discussion of Results

The above discussion examined the degree to which interest groups reacted to the decreased autonomy of the committee system. Those groups with interests similar to those of the Republican Party increasingly valued that party’s leadership after the House reforms – more so than prior to the changes, when the party did not exercise such strong control over its members.

Also, while many lobbyists indicated that their organization recognized the reforms and their consequences, their work at the committee and subcommittee levels remained mostly unchanged for a number of reasons. First, policy work was still conducted in the committee hearings and groups sought to influence policy at all stages of the legislative process. Second, groups had long-term investments in the committee system that proved too valuable to abandon. And, finally, the dynamic personalities among the legislators working on health care and private health insurance issues served to mitigate the tight control of the majority party leaders.

The results regarding party leadership highlight the importance of partisanship in group interaction with party leaders. Typically, a group’s valuation of its work with Republican Party leadership, both before and after the reforms, depended on its own partisan alignment. These results suggest that partisanship in Congress can be a useful organizing tool for the interest group community. Groups that have a tendency to agree with one party more than another can find useful relationships with the leaders

of that party. In those cases where a group pursues policy similar to the preferences of party leaders, each can coordinate their activities to bolster their effectiveness and chances of success.

In instances of institutional change, group relationships with party leaders can improve or weaken, but the consequences depend largely on the relationships groups already have with party leaders. As we saw, Republican-leaning groups increasingly valued their work with GOP leadership, but groups with other partisan persuasions did not. This group preference for strong parties in Congress is taken up in greater detail in Chapter Eight. It is worth noting here, though, that – under certain circumstances – groups may benefit from a powerful majority party in the House.

Perhaps the most interesting result concerns the extent to which groups develop and maintain long-term relationships with the members and chairmen of relevant health committees in Congress. In a majority of cases, despite the decreased autonomy of these legislators, interest groups continued to value these relationships. Institutional change had minimal impact. This result has important implications for the democratic responsiveness of the House as a whole.

Unlike the situation described in Chapter Four, in which certain groups were shut out of the political process by their inability to gain access to party leadership, the results on committee work demonstrate that groups of all partisan persuasions relied upon their long-term connections to individual legislators to maintain access after the reforms. The solid working relationships between members of Congress, their staffs, and the lobbying staffs of various interest groups suggest that those groups that work to maintain these relationships can have a continued say in the political process despite an ever-changing institutional environment that may or may not be politically favorable. The importance of these relationships also highlights the close ties between the committee system and the interest group community.

CHAPTER SEVEN OTHER CHANGES IN DIRECT LOBBYING

In addition to changing the degree to which interest groups valued their work with party leaders and the committee system, a number of other aspects of direct lobbying were affected by the House reforms of the 104th Congress. These changes are the topic of this chapter. First among these is the attention given to the more ideologically moderate members of the House. Under the Republican regime of strong party control, these members became increasingly valuable targets for lobbyists. Second, the implementation of term limits for committee and subcommittee chairman had an important impact on one of a lobbyist's most important functions: that of a policy educator. It also mattered a great deal for the long-term relationships interest groups develop with powerful committee figures.

The increased use of task forces after the 104th Congress also brought changes to how groups viewed the committee system; the leadership controlling the task forces became particularly important. The final section of this chapter addresses the overall extent to which groups pay attention to the subject matter that is the focus of this study: House rules and procedure. Like a number of the topics discussed in previous chapters, the level of a group's attention to this type of House business varies with the depth of its resources. Each of these four topics is addressed below.

Working with Ideologically Moderate Members of Congress

For interest groups, getting the legislation they want out of Congress often requires demonstrating that they have enough votes on their side to pass a bill. This sort of "political intelligence", as it is described by Schlozman and Tierney (1986), can lend credence to a lobbyists' position. They suggest that groups and legislators exchange information about supporters and opponents and their likelihood of success

(Schlozman and Tierney 1986: 299). Along similar lines, groups often find that getting support from across the aisle can lend credibility to their position.

The lobbyists interviewed for this project emphasized how important this sort of activity was after the Republican Party gained majority status. The margin of control was very slim during each of the subsequent Congresses. Immediately following the 1994 elections, the GOP controlled the House by just 26 members. In the 105th Congress, that number decreased to just twenty (Davidson and Oleszek 2202: 437). Under these circumstances, if an interest group could get even a few legislators to break party ranks, it stood a good chance of getting the support needed to pass or defeat a particular piece of legislation.

Prior to the Republican House reforms, many groups that found themselves working at odds with the Democratic majority were able to find legislators in the party who were willing to cross party lines. A number of the lobbyists working for business and Republican-leaning groups, for example, cited their work with the “blue dog” Democrats on Clinton health reform as particularly important. These members of the Democratic Party take a more moderate-to-conservative stance on fiscal, and sometimes social, policies. As one lobbyist for a GOP-leaning group said, “In my first two years at [the organization], we were in the minority and going up against the leadership. This wasn’t hard with the Democrats because they didn’t have control over their followers like the GOP later did. Usually you could fashion a majority out of the Republicans and the blue dogs.” The existence of an organized group within the party that was sometimes at odds with party leaders was a useful resource for those groups seeking the votes to thwart the majority’s policy goals.

After the House reforms, though, the Republican Party leadership’s strong control of the House agenda and the content of legislation meant that few members were willing to suffer the potential consequences of party defection. Lobbyists

certainly recognized this and found that it affected their ability to lobby members of the House. As the lobbyist for a small nonpartisan group said, “The increased power of party leadership and the tighter party control meant it was harder to pick off party members.” Yet, despite the increased difficulty of doing so, finding moderate members to support the group’s position or champion the group’s issue became an increasingly valuable tactic in a chamber where the majority had such a slim margin of control. The lobbyist for a large nonpartisan group made the following comparison of the pre- and post-reform eras: “Now, as opposed to back then, the parties are...far apart with only a small core of moderates. [Our organization] spends a lot of time with [these members] because their respective leaderships need them [to toe the party line].”

Groups, especially those with goals at odds with the GOP leadership, also hope to cultivate relationships with members of the Republican majority in an effort to make progress despite the tight party control on a given issue. The lobbyist for a large Democratic-leaning organization said, “We spent lots of time looking for Republicans to carry our water...When that happened, you could make headway sometimes.”

The Patients’ Bill of Rights legislation provides a useful example. The Republican Party leadership was largely opposed to the legislation, though it offered its own mild version of a bill to avoid criticism that it had failed to act on an issue that had so much public support. The efforts in the House, however, were largely spearheaded by Charles Norwood (R-GA), a Georgia Republican who broke ranks with the leadership. The lobbyist for a small Democratic-leaning organization highlighted how important it was to work with Norwood, especially given his position as a member of the majority party: “Because he was so forceful on the issue and was happy to be a leader and was a conservative Republican, he rose to the top of the list of who [our group wanted] to work with. It was crucial given the nature of Congress

that [our organization] had Republican support and Republican leadership, though not the party leadership, on the issue.”

The House reforms weakened the autonomy of the committee system and to strengthen the majority party’s control over the agenda as well as its individual members. Given the slim margins of the Republicans’ control, though, moderate members of Congress – those with a better chance of breaking party lines – became increasingly important to interest groups seeking to influence legislation in the chamber.

Committee Chairman Term Limits

The changes outlined in Chapter Two collectively weakened the autonomy of the committee system. Included among these changes was the imposition of a term limit of six years for committee and subcommittee chairmen. This particular change had important implications for interest group behavior; throughout the interviews, this change was remarked upon as one of the most significant among those implemented.

A major reason for its prominence is the unique role that lobbyists play as providers of policy information to members of Congress. Wright describes the three types of valuable information that lobbyists can provide to members of Congress: the status of bills, the electoral consequences of supporting or opposing legislation, and the potential economic, social, or environmental impact of various proposals (Wright 1996: 88). The third of these types of information is of particular importance for the implementation of committee chair term limits. In addition to providing information about the policy consequences of bills, lobbyists also spend a great deal of time educating each legislator about their organization, its members, and the policies and goals that will best support those members. As the lobbyist for a large interest group pointed out, “Before you can lobby a staff person [or member of Congress] with what

you want [on a bill], you have to educate [them about the issues from your group's perspective]...You spend a lot of time doing that.”

After a series of interactions with a group, presumably, a legislator has a good understanding of the group, its goals, and the unique concerns the group has about a variety of health policies. When a committee chairman is forced to relinquish his position after a given number of terms, a new chairman takes over his position and interest groups can no longer presume a certain amount of background information when meeting with this new committee chair. One lobbyist for a large Democratic-leaning organization stressed the “importance of building a working relationship with someone who knows all the issues and [someone from whom the group] knows what to expect...The learning curve of a new chair throws things into a weird mix. Groups feel obligated to educate [the new chair] and then you’re back to ground zero...”

The departure of a new committee chairman is sometimes accompanied by the departure of his staff, with which interest groups had developed long-term working relationships and could also presume a certain level of expertise. A lobbyist for a large Republican-leaning group described the situation shortly after the GOP gained majority status in the House: “The Republicans had to learn how to govern and they were handicapped for the first several months rules-wise. It took longer for the chairmen to learn their jobs and their [committee] staffs [had already] left in anticipation [of the changes]. In [Representative Thomas] Bliley’s last year as chairman [of the Commerce Committee when he retired in 2001] there was a 300% turnover in staff. As a lobbyist, I was constantly having to educate the staff.” In this case, many staffers anticipated the chairman’s retirement and subsequently left the House for other jobs. Lobbyists such as the individual quoted above had to develop new relationships with these new staffers and inform them about the policy goals of their particular organization. Certainly, a similar situation would exist following the

replacement of a committee chair after he fulfilled a maximum number of terms in that position.

In those cases where the committee staff does not change jobs in anticipation of the chairman's term limit, however, these individuals can gain an increasing amount of power. The lobbyist for a mid-sized Republican-leaning organization said, "When term limits are implemented, staff can become more powerful because they stay with a committee after a term-limited chair has left. Staff has a lot of power where a member does not do his homework, does not know the substance, or does not have an interest." In the case of a new committee chairman who may be slightly unsure of the policy details or of managing a committee, the chair may defer to the presumed expertise of the more experienced staff, granting them more power over the content of legislation and in negotiations with lobbyists and interested groups.

The lobbyists interviewed for this project expressed varied sentiment about the long term policy consequences of term limits for committee chairman. As one lobbyist for a large Republican-leaning group opined, "I have mixed feelings about chairmen term limits. You get fresh blood but you can lose a good crafter of legislation, like Bill Thomas [who would have been forced to step down as Ways & Means chair due to a term limit had the Republicans maintained their majority status in the 2006 midterm elections]." His concern over losing expertise was echoed in other interviews. The lobbyist for a large nonpartisan group said that "six years in Congress wasn't enough to develop the expertise [required] to be a good chairman." Another lobbyist for a smaller group, however, argued that an appointment process with term limits would be based on merit not simply seniority; better public policy may result. Despite the varied concerns about the term limits, however, the vast majority of lobbyists lamented the loss of policy experts with a clear understanding of their groups' concerns.

In addition to the education process that groups engage in with a new committee or subcommittee chairman, groups must also pay special attention to committee and party politics prior to that new chairman's appointment to that position. As noted in Chapter Six, interest groups go to great lengths to cultivate relationships with the committee chairman and the members of those committees that regularly deal with health policy. When committee chairmen in particular are required to step down from their position due to a term limit, groups must anticipate which legislator will assume the available position; groups often attempt to develop strong relationships with the candidates for replacement.

The majority of the interviews conducted for this project took place in the early fall of 2006, prior to that year's midterm elections. At this point, the lobbyists interviewed were unsure which party would be the majority party at the start of the new Congress in January 2007. Had the Republicans maintained control, powerful Ways & Means Chairman Bill Thomas would have stepped down from that position after serving the maximum number of terms. The anticipation of this potential change in power was brought up by many of the lobbyists.

As the lobbyist for a mid-sized Republican-leaning group said, "Groups start to jockey to see who will be the next guy in charge of the committee. [The group's] legislative strategy changed somewhat, [such as which legislators the] devoted their resources too." One lobbyist working for a large Republican-leaning group pointed out that the implementation of term limits had important consequences for interest groups activity and, in some aspects, changed the ways they conducted their direct lobbying strategies. He said, "Term limits can make a difference because groups need to pay attention to who the next chair will be, even if the GOP stays in the majority. [Groups] used to assume that a chair would be there forever, but now they try to cultivate new relationships with potential chairs." This lobbyist continued, "Groups

need to be constantly looking at who is next and follow who makes these decisions and so on. Many more people think about this more today than they did in the past.”

Among the specific changes introduced by the Republicans, the imposition of term limits for committee and subcommittee chairmen had the most uniform and strong effects on the interest group community. The interest group literature strongly emphasizes the role of lobbyist as policy educator and source of information to members of Congress; interest groups see this role as one of their most basic. An increased turnover in committee chairman means a greater need for groups to educate and reeducate incoming chairman. Additionally, the turnover in committee leadership has important implications for an interest group’s constant need to cultivate its relationships with key players in the realm of health policy so as to maintain access to these important legislators.

Task Forces

A third change in the inner workings of the House was the Republican leadership’s increased reliance on the use of ad hoc task forces to develop legislation at the expense of the traditional committee system. This development was closely tied to the overall move to weaken the autonomy of committee leaders and to bolster the strength of leadership control over legislation. Oleszek (1999) argues that the use of task forces was an important aspect of this broader trend.

Of the three issues on which this project focuses, one was handled outside of the traditional committee system: the debate over the Patients’ Bill of Rights legislation. One bill in particular followed this path. H.R. 4250, the Patient Protection Act of 1998, was the product of a House leadership task force led by Dennis Hastert (R-IL). The bill was developed by the Republican task force and then referred to five separate House committees upon its introduction. Despite these referrals, however,

the bill did not spend much time in committee. On July 23, 1998, the House Rules Committee granted a modified closed rule allowing the bill to be considered on the floor; on the following day, the bill passed in the House and was placed on the Senate calendar.

A number of the lobbyists mentioned the roles of the task forces during our discussion of their group's work on this issue. The relative value of the committee chairmen or committee members to lobbyists declined under these circumstances. The representative of a mid-sized Republican-leaning group said the following, "For [the Patients' Bill of Rights] debate, there was an extra-committee process using task forces. They were much more of an important body than any of the committees. [The task force's] ideas trickled into the committee discussion...The chairmen of the committees were important, but not as important as majority party leadership because they appointed the task forces."

Many other lobbyists highlighted the increased importance of the leadership when legislative debate is taken out of the committee system. The lobbyist for a large GOP-leaning group remarked, "The group had to adjust [its strategy] a little in light of [the task force]. It was a top-down, leadership-run process. We placed a premium on [the group's] close ties with the leadership, especially since no significant hearings were held in committee." The former head of a small nonpartisan group highlighted the importance of keeping track of the political process surrounding these issues by talking with party leaders – in addition to a lobbyist's typical work on the substance of legislation. She said, "As lobbyists in these situations, you have to have conversations with the caucuses and the whips and talk to them to see where things are." In those situations where the committee system is bypassed, groups are forced to focus more closely on the movement of a bill through the political process, anticipating where it will go and what key players will do with the legislation. While lobbyists always have

these concerns in mind as they deal with the substance of legislation, a process that goes against standard operating procedure forces them to devote more of their efforts to such work.

Given the partisan nature of the Hastert-led task force, the Democrats also set up their own extra-committee counterparts. As the lobbyist for a large Democratic-leaning group said, “The Democratic task force on the Patients’ Bill of Rights developed in part because of multi-jurisdictional issues and to fight the Republican efforts to work outside of the committee. Also, it gave Democratic members without a committee seat a chance to get involved in a popular issue.” This lobbyist mentioned Marion Berry (D-AK) as an important player on the issue in the eyes of her organization due to his position as the chair of the Democratic task force.

Again, the importance of a group’s partisanship is evident. Those with fairly easy access to the Republican leadership changed their strategy to work and share political information with majority leaders. Democratic-leaning groups without access to the task force worked more regularly with the task force spearheaded by the minority party. All in all, however, the use of task forces shifted group attention – regardless of partisanship – from the committee system and forced them to devote a portion of their resources, such as time and lobbyist manpower, to additional centers of power beyond those with which they had cultivated relationships over time.

Interest Group Attention to House Rules and Procedure

An important component of a discussion of interest group responses to institutional changes must include an assessment of how closely groups follow such changes. The evidence collected across the lobbyist interviews strongly supports the argument that a group’s attention to House rules and procedure is closely linked to its

resources and therefore its ability to pay attention to these sorts of changes while simultaneously pursuing policy goals.

Each lobbyist was asked an open-ended question designed to measure the degree to which his organization paid attention to House rules and procedure, especially the work of the House Rules Committee. Responses were coded into one of three categories representing a scale of zero to two. A score of zero suggests that the lobbyist indicated that the group did not engage in this sort of activity or did so very little. A score of one indicates that the group engaged in this activity somewhat; that is, the organization followed House procedure at certain points in the legislative process, such as the beginning of a new session of Congress. Lastly, a score at the top of the scale indicates that the organization followed House rules and procedures substantially. Groups in this category, for example, often had lobbyists on staff whose sole responsibility was working with the Rules Committee or following the details of the legislative process.

A simple correlation test between this variable and the size of an organization's staff indicate that larger groups tend to pay much more attention to these concerns. The correlation coefficient is 0.42 and the p-value is reported as 0.00 which is strongly statistically significant. These results indicate that an increase in attention to House rules and procedure is closely associated with an increase in the size of an interest group's staff, which serves as a proxy for that group's overall available resources.

Table 7.1 provides the percentage of respondents that fall into each of the three degrees of attention across four categories of group resources. Those organizations in the Low Resources category represent those groups with a staff size of less than 50 individuals. The next category, Low to Mid Resources, have staffs of 50 to 100

people. The Mid to High Resource organizations employ between 100 and 500, and the High Resource level groups has more than 500 individuals working for them.⁴⁷

The only groups reporting that they paid little or no attention to House procedure fell into the lowest resource category. A majority of groups in the lowest two categories paid attention to House procedure somewhat, while a majority of groups in the top two categories devoted substantial time and resources to do so. Likewise, the percentage of groups paying close attention to House rules and procedure increases for each of the four categories. Certainly, having greater resources affords certain groups the ability to devote time, money, and manpower to following the nuts and bolts of House procedure in addition to the group's focus on policy and legislation as it relates to its stated goals.

Table 7.1, Percentage of Groups Paying Attention to House Rules and Procedure, by Resource Level

Resource Level	Attention to House Rules and Procedure		
	None or Little	Somewhat	Substantial
Low	21.4%	71.4%	7.1%
Low to Mid	0.0	57.1	42.9
Mid to High	0.0	40.0	60.0
High	0.0	33.3	66.7

Many lobbyists pointed out that they or other employees of their organization were former Hill staffers and therefore knew the importance of the House procedure. The lobbyist for a small nonpartisan group said, “The President of our Association used to work for [a former chair of the Rules Committee], so [our organization]

⁴⁷ The data on staff sizes were collected from a number of sources, including the Encyclopedia of Association, the Associations Yellow Book, and organization websites.

appreciates the amount of power in procedure, rules, and the Rules Committee.” It became apparent that lobbyists with former connections on the Hill especially valued the influence of House procedure and the work of the Rules Committee. As a result, they readily paid attention to these issues on legislation of concern to the group.

While many organizations readily followed the work of the Rules Committee and paid attention to the rule changes within the party caucuses, most respondents indicated that their organization did not try to actively influence these sorts of decisions. For example, a number of lobbyists pointed out that the Rules Committee is often very difficult to track and influence simply because it meets at a moment’s notice or convenes its meetings at odd hours. Also, many lobbyists noted that they try never to involve themselves or their organizations in party caucus decisions. The lobbyist for a large nonpartisan group notes, “We follow procedure closely, but we don’t protest the rules and changes in them because [these rules] can really only be modified by the party in charge.” She continued by noting that the group does, however, sometimes try to get members of Congress to protest such changes or to influence the rule-making process: “[Recently], we tried to persuade members [of Congress] to speak up to leadership about cases where [some] members tried to work around the rules to pass legislation. [This type of behavior] is pretty much a behind-the-scenes thing [on the part of the organization].”

The head of a small Republican-leaning group stressed the importance of paying attention to rules and procedural developments as a bill progresses through the House, despite an ability to strongly influence these decisions. He said, “[Groups] have very little ability to play an active role in [rules and procedural] decisions. It is an insider game by members themselves. It is more a matter of paying attention than being directly involved. And, really, you only pay attention when [major procedural] decisions are announced.”

A few lobbyists indicated that the changes implemented by the Republicans following the 1994 elections affected the degree to which their organization paid attention to House rules – and also the degree to which they could influence the Rules Committee to provide a favorable environment for legislative debate. The lobbyist for a large Democratic-leaning organization said that his organization expanded the work of an internal committee designed to discuss issues, monitor members, and decide grassroots strategy “to include looking at the effects of the...Republican reforms, asking questions like, How would it affect the movement of legislation? Would [the group] be able to get around [the new changes]? Was there any way to challenge the changes? Did they violate Robert’s Rules of Order?”

The head of a smaller Republican-leaning group also highlighted the impact of the 1995 reforms on his organization’s focus on the Rules Committee in particular.

He noted,

[Pre-1995], we monitored the Rules Committee more closely than we do today because [the outcomes] used to be more up in the air. With a looser, less top-down leadership role, the Rules Committee was more likely to allow unfriendly amendments to a bill that might have a chance to pass. [The Committee] had to allow some amendments because there was less discipline and unanimity within the caucuses and with the Speakers and strong committees. Since the Republican takeover, [monitoring the Rules Committee] has been less crucial because [the Republicans] have a lot more [party] discipline and it is unusual that a rule doesn’t get approved.”

A lobbyist for a large nonpartisan group emphasized that this sort of attention to procedure and rules was less productive in the House than the Senate, given the greater predictability of the House. She said,

[First], you focus on policy and it takes a long time to get a bill ready to go someplace. At that point, it’s important to understand how it will proceed. There is more complexity on the Senate side so there is lots of strategy and planning and thought placed here [by the group]. In the House, the Republican leadership ultimately makes the decisions – that drives the shape of things.

Once again, we hear evidence that the Republican Party's strong control over the committee system and its rank-and-file membership made the possible outcomes more predictable. Consequently, lobbyists like those quoted above felt that devoting resources to lobbying or following the work of the Rules Committee could be better spent in places where their chances for influence were greater.

In general, while some groups did pay more attention to the House rules and procedure following the reforms in the 104th Congress, most groups continued monitoring this sort of work at their pre-reform levels. Instead, the factor that greatest predicts how closely an interest group will follow House procedure is the resources such a group has available to devote to these sorts of legislative pursuits.

Discussion of Results

The above analysis has provided a discussion of how interest groups responded to the reforms, beyond the relative value of party leaders and the committee system that was discussed in the previous chapter. The discussion presented here highlights how specific rule changes – such as the implementation of a term limit for committee chairman – can have important consequences for interest group behavior. Groups were forced to devote more resources to develop relationships with potential incoming chairs and, once appointed, to educating these chairs about the unique demands and policy details of concern to each organization.

Additionally, a larger change in House norms and procedure – like the increased reliance of ad hoc task forces as an alternative to the committee system – can also shape the ways in which interest groups approach their direct lobbying work. In this case, groups were forced to focus more attention on the majority party leadership as well as increase their ability to anticipate the movement of legislation through the process.

The changes described above did have important implications for the ways in which interest groups conducted their lobbying behavior. Strong party control was one large consequence of the specific institutional changes introduced by the new Republican majority. One result of this strong party control was to make ideologically moderate members of the House more useful targets for lobbyists. Since the House was divided by slim margins of control – and since the GOP in particular exercised such strong party discipline – these moderate members became increasingly valuable lobbying targets. Thus, the institutional environment altered the nature of group activity by changing those legislators targeted by lobbyists. This example is one of many presented here that demonstrate the effect of the institutional environment on group behavior.

Additionally, the discussion of committee chairmen term limits further emphasizes the importance of group access to key members of Congress and, especially, their ability to develop long-term relationships with these legislators. Throughout the dissertation, I have demonstrated the premium interest groups place on such relationships. In particular, these relationships provide groups with a reliable means of transmitting the preferences of their membership and, to some extent, the preferences of the public. The conveyance of these preferences is a hallmark feature of democracy and representative government. Institutional change that either jeopardizes or improves these long-term relationships therefore jeopardizes or improves the ability of interest groups to serve this broader function. This issue will be taken up in greater detail in the next chapter, as I discuss the broader implications of my findings.

CHAPTER EIGHT CONCLUSION

The preceding chapters have highlighted the health policy community's reaction to the reforms of the 104th Congress. Many of these groups' adjustments depended on their partisan alignment. In other cases, a group's resources or the nature of an issue served to mitigate the impact of the reforms. This chapter reviews these changes in group behavior with an eye toward their greater consequences for the political system and our understanding of interest groups more generally.

Groups respond to specific rule changes; these include the imposition of term limits for committee positions or new staffing arrangements. Groups also react to the broader shift in the balance of power between the committee system and party leadership. The changes exhibited by the health policy community reiterate the importance of access for lobbyists. Institutional change that alters group access to the House of Representatives has important consequences for group strategy-planning. This concluding chapter reviews the impact these findings have on the political science literature on interest groups and congressional organization.

Interest Group Responses to Institutional Change

Part I focused on the changes across the various Modes of Influence available to groups. Due to the new Republican leadership's tight partisan control over the House, groups at odds with GOP goals found their effectiveness in the direct lobbying Mode rather limited. As a result, they turned their attention to indirect influences, such as grassroots work. Additionally, groups of varied partisanship increasingly devoted their efforts to working in the more moderate and decentralized Senate.

Campaign contribution behavior was slightly affected in the post-reform era, but not drastically. Republican-leaning and nonpartisan groups increased their

contributions to Republican leaders, but no similar adjustments were made by Democratic-leaning groups. These organizations made no donations to GOP leadership before or after the changes. Contributions to key committee players from all groups declined slightly. Additionally, many groups bolstered their staffs with lobbyists who had easy access to Republican leadership and the Republican Party.

The subject of Part II was direct lobbying in the House. Here, I again demonstrated the effects of partisanship. Republican-leaning groups increasingly valued their work with Republican Party leadership. Groups of all partisan persuasions, however, continued to value their work with the committee system despite its decreased influence over the legislative process. Additionally, the slim margins of party control – and the need for political credibility in a highly partisan environment – made moderate members of the House valuable allies for interest groups. The imposition of term limits for committee chairmen and the increased use of task forces also stood out among the changes as having especially important consequences for interest group activity.

Taken together, the above findings suggest that these changes in House institutions mattered to the interest group community for two reasons. First, the reforms were dominated by partisan concerns. The Republican Party leadership implemented the reforms, strengthened majority party control, and weakened the committee system in an effort to ensure the success of their legislative agenda. Across the board, group partisanship played an especially powerful role in determining the response of an organization to this new legislative environment.

Democratic-leaning groups, for the most part, were unlikely to value their work with Republican leaders prior to the reforms; these sentiments were unchanged after the reforms despite strong GOP control over the chamber. Instead of donating more money or cultivating relationships with key Republican leaders, these groups

largely responded to the new House environment by working outside of it. They were unable to pursue their former strategies because the GOP leadership was less open to working with them. Republican-leaning groups, on the other hand, increasingly valued their work with the party's leadership.

Certainly, some of this change can be attributed to the mere fact that the GOP had become the majority party. Yet, to a large degree, the House Republican leaders became important to these groups due to the changes they introduced to the chamber and the legislative process. The data analysis suggesting this trend is confirmed by the anecdotal evidence from the interviews with individual lobbyists. As noted throughout the text, the data comparisons demonstrate that group behavior was different before and after the reforms. They do not, however, offer any causal explanation for these changes. Groups' adjustments could feasibly be a reaction to a switch in party control or to the new institutional environment. The anecdotal evidence from the interviews helps to understand what, in fact, caused groups to adjust their strategies; it is clear that institutional change did matter. The evidence I have presented here demonstrates that House institutions did play a role in explaining group activity after the reform. A majority of lobbyists interviewed indicated that the *manner* in the Republican Party ran the House affected their strategy, not simply the fact that the GOP was in control.

My findings suggest that partisanship tends to matter most to interest groups in their relationships with party leadership. This is a natural consequence of the role of party leaders, which is to promote the party agenda and stick to the party message. The centralization of power following the reforms likely amplified this tendency. Because the Republican Party exercised such strong control over its agenda and over rank-and-file members, partisan divisions dominated groups' relationships with the leadership of the majority and minority parties. Republican-leaning groups worked

with the strong GOP majority, while groups having a natural alliance with the Democrats sought out minority leadership. The divergent platforms between the two parties – and the strong control exercised by the GOP – limited bipartisan or cross-party efforts.

Work at the committee level, I found, is instead driven by pragmatic concerns like maintaining access and developing relationships. Despite the fact that, following the reforms of the 104th Congress, the balance of power in the House had shifted away from the committee system, groups of all partisan persuasions continued to work with the leaders of key Health committees. Most likely, Democratic-leaning groups found natural allies in the ranking member while Republican-leaning groups worked regularly with chairmen. Yet many of the respondents interviewed for this project spoke of working across the aisle at the committee level. Many issues are not easily divided along party lines. As a result, groups continually work with the knowledgeable and powerful members of a key committee despite party disagreements. This sort of pragmatism tends to dominate interest group concerns at the committee level more than partisanship.

The second reason the reforms mattered to interest groups is because they affected the long-term relationships that lobbyists develop with members of Congress. Groups of all partisan persuasions and resource levels place a high premium on their relationships with individual legislators and, especially, their staffs. When power dynamics change in the House, the shift has consequences for these long-term connections. Groups with a solid working relationship with a committee chairman or ranking member may find themselves with less influence over legislation if that legislator's authority is usurped by party leadership. A change in rules and norms also has important consequences. When the chairman of a committee is forced to step

down due to a term limit, groups must plan accordingly to educate and develop new ties with his replacement and any new staffers.

A common theme throughout the interviews was the regularity with which lobbyists work with committee staffers, the personal staffs of committee members, and committee members themselves. When asked how often her organization met with committee and personal member staffs, one lobbyist said, “We see [these] people so often. We talk constantly about all of the issues that we are working on. Health issues [in the House] go through two or three major committees and you’re always talking about all the issues with these people at once.” If the internal rules and organization of these committees – or their relative importance in the chamber – changes, groups must naturally make adjustments, simply because their work at the committee level dominates their daily activities in the office and on the Hill.

Thus, my research suggests that the reforms of the 104th Congress had important consequences for interest group activity because, first, they were driven by partisan concerns and, second, they affected the long-term relationships interest groups develop with members of Congress. Both of these changes are connected to the hallmark strategy of any successful interest group: access to key players within the House of Representatives. It became clear in the course of the interviews that shared partisan interests are a powerful way for groups to gain access to members of Congress. Partisan disagreements are also a strong reason groups are not granted meetings with legislators or congressional staff – and a possible explanation for why meetings are not pursued by the group. The interviews also highlighted the importance of maintaining long-term relationships with members of Congress and their staffers. Such relationships are another straightforward way for a lobbyist to get his foot in a legislator’s door. Groups lacking these personal connections – especially smaller groups with little clout – can be left out of the process.

As demonstrated throughout the previous chapters, institutional context and the internal balance of power in the House has implications for partisan control of the chamber and for group-legislator relationships. Therefore, a group's access also depends on the institutional context. Ainsworth points out, "Legislators cannot be forced to visit with a lobbyist. The legislator must grant access to the lobbyist" (Ainsworth 2002:131). Following the reforms in the 104th Congress, the balance of power strongly favored the strong majority party leadership. The leadership's centralized control over the chamber allowed it to control the access of interest groups to key policymakers, many of whom were GOP leaders. In reshaping "who's who" among these key policymakers, the reforms also altered the usefulness of various long-term group-legislator relationships.

In *The Governmental Process*, Truman describes access as "the facilitating intermediate objective of political interest groups" (Truman 1951:264). His point is as follows: all groups, regardless of policy preference, must include gaining and maintaining access among its primary goals. It is the means by which they can obtain other, policy-oriented ends. Truman writes that a group's access to key decision-makers depends on a number of variables: the group's position in the social structure, the "initiative of the petitioner", the degree to which the group is organized, and the skills of the group's leaders. This dissertation suggests that the institutional context of the legislature itself has a powerful influence on a group's access and therefore its strategic decisions.

The need for access drives the pragmatic behavior of interest groups that allows them to adjust to a changing political and institutional environment. In short, groups change strategies in order to increase their access. As we saw in Chapter Four, they engage in more grassroots work if needed to gain indirect access to lawmakers. Chapter Five highlighted groups' willingness to making staffing and hiring decisions

that increased their chances of access to the new power players in the House. The discussion in Chapter Six stressed the value groups place on maintaining relationships and access to key committee players. When the legislators in key positions change, groups must educate them on relevant issues and also develop strong working relationships with these new decision-makers. Finally, in Chapter Seven, we saw, for example, groups' willingness to work outside of the committee system with legislative task forces if necessary.

All of this behavior is, to a large degree, driven by groups' need for access and their desire to get things done in any way possible. Because access is necessary to accomplish policy goals, groups must pursue those Modes of Influence that will bear the most fruit. The institutional context in which they operate can have important implications for where and how they develop this ever-important access.

Implications for the Scholarly Literature

Interest Groups Scholarship

Chapter One reviewed the scholarly assessment of the interest group literature; specifically, critics have lamented the inattention to the political and institutional context in which interest groups lobby Congress. The literature also fails to offer convincing explanations in two areas: first, which legislators do interest groups target? And second, how effective are they? The conclusions presented here – especially the importance of access – can help to illuminate these unresolved issues. While my findings do not provide clear-cut answers to these questions, they demonstrate a broader point: looking for clear-cut answers or strict recipes for group decision-making is not especially useful. Doing so underestimates the degree to which interest groups consider the context in which they exert their influence as well as the pragmatic approach they have to lobbying. Instead, understanding the institutional

context in which groups operate allows us to better understand why they make the varied decisions we have seen in case studies and other scholarly accounts.

Research into the targets of group lobbying has been divided over whether organizations seek out their political allies for support or if groups seek to persuade, or at least demobilize, their opponents. What the literature fails to fully explore is that an organization can be allies with a legislator on one issue and opponents with him on the next. Many legislators are not easily categorized as friend or foe of an interest group. The evidence presented here suggests that interest groups target those legislators to whom they have access, regardless of party. Larger groups may have more access to all members of Congress simply because of their financial and membership clout, while smaller groups often rely on legislators with whom their organization has close, natural ties, like former members or former professionals in a trade association.

Likewise, Republican-leaning groups have access to Republican leaders, while Democratic-leaning groups have a harder time making headway with these legislators; they find allies in the Democratic leadership. As noted above, partisanship seems to matter most in group interactions with House leadership – perhaps here the emphasis is on working with political friends. At the committee level, however, groups work with both friends *and* foes. Research that asks whether groups target friends *or* foes misses the broader point that group strategies vary across Congress and throughout the legislative process. The “friend versus foe” dichotomy matters far less than finding those offices where an interest group can get in the door for a meeting.

Additionally, the interest group literature has been unable to identify when groups are most effective – when they can sway public opinion, when they can insert language into bills, and so on. In some case studies, groups made a big difference and, in others, group input mattered not. The finding that group strategy is often driven by access has important consequences for which strategies they choose – and the

effectiveness of these strategies. As noted in Chapter Four, groups with limited access to the legislature attempted to exert their influence elsewhere – in the Senate or through grassroots mobilization, for example. Thus, access plays an important role for overall strategy choice; groups pick the strategy where they can maximize their effectiveness – a fact which is often determined by the institutional balance of power in the legislature itself. Studies that evaluate the effectiveness of groups should pay explicit attention to the ways in which the institutional environment impacts group access to key policymakers and its subsequent consequences for group strategy choice and success.

As noted in Chapter One, the only previous comprehensive empirical research on this topic was conducted by Heitshusen (1995). She concluded that House decentralization in the 1970s meant more work for interest groups; the reforms expanded the conflict over bills to other committees and therefore required lobbyists to work with more legislators. The circumstances surrounding the reforms of the 104th Congress had a different effect. Instead of expanding the scope of conflict, the reforms concentrated power into the hands of a few key party leaders who had tight control over the legislative agenda. As a result, certain groups with now-limited access to the House were forced to expand their operations – not to additional committees, but to different Modes of Influence altogether. This example is just one way in which the reforms influenced interest group strategy choice and behavior; the previous chapters outlined various other instances in which groups modified their behavior in light of changing institutions.

Heitshusen's conclusion that groups alter their behavior according to the institutional environment of the legislature is confirmed by the analysis here – the consequences, however, vary according to each unique context. The specific adjustments made by lobbyists depend on the nature of the changes, but the impact of

these reforms is felt by political actors outside of Congress. Our shared conclusion regarding the overall importance of institutional context suggests that most reforms – regardless of their specific nature – impact the interest group community. As such, congressional institutions are worthy of greater attention from interest group scholars.

Rational Choice Scholarship on Congress

In Chapter Two, I pointed out that the rational choice models of congressional organization do not address their implications for external political actors. An albeit simplified version of the major debate within this field concerns the extent to which political parties are the dominant organizing features of the House of Representatives. Krehbiel in particular argues that parties play a less prominent role in congressional organization than conventional wisdom would suggest (Krehbiel 1991, 1993). He suggests that recent analysis suggesting a rise in partisanship in Congress is, actually, a simple change in the preferences of members and not the broader forces of party organization in action (Krehbiel 1993:262). Cox and McCubbins (1993, 2005) argue instead that parties – especially majority parties – dominate the legislative process, especially by setting the legislative agenda.

What do the results presented here offer in light of this debate? The aforementioned texts focus on the nature of congressional organization from within the chamber itself. The analysis here can only comment on how external actors view the legislature. Do interest groups view the House in partisan terms, or do they look at the individual preferences of members or the committee system as the dominant means of congressional organization? The results are mixed.

As noted above, interest groups view partisanship and the parties as particularly important in their work with majority and minority party leadership. Leadership tends to get most involved in those issues with a high political profile; it

steers clear of smaller issues laden with technical policy details of little consequence to the public at large. On those issues in which leaders do get involved, partisan interest groups tend to align themselves with their respective leaderships; they tend not to work with their political opponents. In these cases, then, groups tend to view Congress in partisan terms.

Yet the data suggests also an overwhelming preference among groups to remain committed to the committee system, even after it lost a good deal of its autonomy. Lobbyists representing groups of all ideologies spoke extensively of their work across party lines and with all members of the relevant congressional committees. Chapter Six outlined their reasons for doing so: the pragmatic concern to work where legislation is actually written, the powerful personalities of certain committee members, and the established relationships lobbyists have with these individuals.

The committee system then, it seems, is the dominant organizing body in Congress in the eyes of the interest group community. On a majority of issues, groups concentrate on committee-based legislators instead of party leadership. The issue-based nature of committee jurisdiction and the specialization and policy expertise derived from this division of labor offer one possible explanation. As a result of this system, groups are able to develop the long-term relationships with legislators and their staffs described in detail above. These relationships supply ready access to members of Congress with jurisdiction over issues relevant to groups. As such, they provide an efficient means for policy education and legislative input.

The rational choice debate described above deals with congressional organization in a theoretical and empirical sense. These scholars develop formal models explaining the reality we see in Congress and test those theories using data that represent legislative action and decision-making. The research presented here does

not weigh in on the debate with evidence of this sort. My concern has not been with testing legislative behavior; instead, I have examined perceptions of the legislature among external political actors. Given this difference, I offer no definitive support of the party-driven or committee-focused models. Understanding perceptions is, however, an important aspect of understanding the political system more broadly. The perceptions described here have important consequences for how interest groups will make strategic decisions, their pursuit of policy goals, and the degree to which they achieve success. Given these consequences, it is worth pointing out that interest group perceptions of Congress are dominated by the committee system, with the exception of those large-scale political issues with high leadership involvement.

Throughout the dissertation, I have emphasized two distinct trends that occurred as a result of the House reforms in the 104th Congress: a strengthening of majority party control and a weakening of the committee system. These trends highlight a prominent point in any discussion of congressional development and changing House institutions: the tension between the committee system and party control of the legislature and its agenda. Various instances of congressional reform – especially those of the mid 1990s – have heightened the tension between the committee system and parties in Congress.

The rational choice literature on congressional institutions varies in the extent to which it recognizes this tension. Cox and McCubbins in particular argue that committees are creatures of the parties and that, therefore, there is no significant conflict between the two organizing systems. Alternative theories suggest that tension does exist between the party and committee systems. What, then, characterizes the relationship between the committee system and parties in Congress: conflict or cooperation? The reforms of the 104th Congress offer a useful case study for assessing this question.

Beginning with the American Political Science Association's call for "responsible party government" in the 1950s, there has been substantial debate among political scientists regarding both the value and existence of strong parties capable of implementing their legislative agenda. The responsible party government model calls for a party system in which voters are offered clear, distinct choices among party platforms. Textbooks describe responsible party government as "a set of principles that idealizes a strong role for parties in defining their stance on issues, mobilizing voters, and fulfilling their campaign promises once in office" (Ginsberg et al 2003). In such a system, those elected to office have a clear agenda approved by the public. If voters are unhappy with the results, legislators are then more easily held accountable in future elections. Gingrich's philosophy of governing owes much to the responsible party government model. The Contract with America presented voters with a clear outline of what the Republican Party planned to enact if elected. Once in the majority, the GOP quickly sought to meet its goals.

The unique institutional changes introduced by Gingrich and the Republican Party leadership suggest that they viewed the committee system as a hindrance to their pursuit of responsible party government. The changes brought with them a series of battles between the committees and majority party leadership which, in the end, resulted in a weakened committee system. This specific period of congressional history suggests that conflict is the dominant mode of committee-party relationships.

How do interest groups figure into this dynamic? My interviews with lobbyists suggest that they believe a tension between parties and committees does exist. Interest groups are highly attuned to the conflicts this tension creates. As one lobbyist described, "[Following the reforms], members were in a hard spot having to decide between [being loyal to their party] and what works for their jurisdiction...Party [loyalty] was important in terms of a member's standing, their

ability to move up [within the committee hierarchy], and their funds for reelection.” Increased party discipline – a direct consequence of Gingrich’s push for responsible party government – put individual legislators into difficult positions with tough choices to make. Interest groups seeking to persuade these members were increasingly aware of these members’ divided loyalties and, therefore, had to account for this tension in their lobbying strategies.

The existence of responsible party government creates a unique situation for interest groups. If the majority party has a clear plan, effectively implements that plan, and is reluctant to deviate from the plan, what role do interest groups play in the political system? There is less room for negotiation, deal-making, and, in short, lobbying to change legislation. How, then, do interest groups feel about responsible party government? What were their qualitative evaluations of the Gingrich reforms?

It became clear in my interviews that interest groups benefit from strong party control only when they share the policy preferences of the majority. Some of the GOP-leaning groups with whom I spoke expressed satisfaction with and appreciation for the strong coordination on the part of the Republican leadership to pass legislation they favored. Agreement with a well-organized leadership led to a clear strategy to pursue. One business lobbyist described his work on the Patients’ Bill of Rights and the close coordination his organization had with the Republican Party leadership on the issue. He said, “[After the House reforms], the Republican leadership exerted a lot of control and discipline [over the House]. Had the leadership not been able to manage the rules as tightly, the outcome might have been different. Without the reforms, the legislation that passed would have been unacceptable from our standpoint.” Because of its similar preferences to the majority leadership, the group was able to get what it wanted and work in coordination with GOP leadership to achieve this goal.

Despite the few examples where GOP-leaning groups preferred the strong party control, however, many lobbyists expressed frustration with the competing demands that legislators felt between party loyalty and constituent service or personal policy preference. The especially tight majority party control over post-reform Republicans was a widely-mentioned challenge for groups seeking to pass legislation at odds with the goals of the majority party, as evident from the earlier quote regarding party loyalty. Very few interest groups will be in agreement with the majority party leadership on all issues. As such, I conclude that only those groups with very strong connections to the controlling party value responsible party government. Typically, groups appreciate the ability to negotiate, make deals, and work out the details of policy directly with legislators and their staffs. Groups exist to accomplish these very goals; responsible party government tends to limit their input.

Normative Implications of Results

In addition to the scholarly contributions of my findings to political science research, I must also consider the broader normative implications of my results. That is, what do my findings say about the overall quality of American government? Here, I am particularly concerned with the ability of interest groups to serve their function within the political system; that function, in particular, is to represent the demands and preferences of their membership before lawmakers. Interest groups, among other components of the political environment, serve as transmitters of the public's preferences to Congress – and also as transmitters of information about Congress to the public, or at least their group's members. Certainly, there are many aspects of the political system that engage in this important role: elections, polling and public opinion, constituents, and legislators themselves all combine to promote – or sometimes hinder – the democratic responsiveness of the legislative branch. By

democratic responsiveness, I mean the ability of the government – in this case the House of Representatives – to receive, interpret, and act upon the will of the people. In a representative government, this is one of the most essential functions of the legislative branch. Because interest groups play an important part in this process, it is worthwhile to consider what my findings suggest about the ability of the interest group community to perform this function.

Before drawing any comprehensive conclusions, however, it is worth noting that my analysis covers only a small period of congressional history. The interviews addressed prominent health issues two years before the changes implemented in the 104th Congress and four years after. These eras, especially the large-scale Clinton reform efforts, may be unique in congressional history. My results therefore may not be generalized to other periods of congressional reform. I can only offer an assessment regarding one small piece of congressional history. Given these limitations, though, I believe my results still offer insight into the effect of institutional change in the House on the ability of interest groups to serve as democratic representations of the popular will. To assess my findings, I ask two questions.

First and foremost, did the changes that I saw in group behavior enhance the ability of the interest group community to serve their democratic function? That is, did the interest group community believe that it could still effectively transmit their unique “public’s” preferences – the preferences of their membership – to legislators? I argue that the changes of the mid-1990s did not especially enhance the ability of the interest group community to serve its democratic function, but a majority of interest groups still felt they could effectively transmit their members' preferences to legislators.

Throughout the dissertation, I have emphasized the importance of group access to key decision-makers in Congress. In Chapter Four, I highlighted the fact that many

Democratic-leaning and bipartisan groups found themselves on the outside of the Republican Congress looking in. In short, following the reforms, these groups lacked ready access to prominent decision-makers. These groups, then, did not have as great an opportunity to convey their members' preferences directly to members of Congress. My research, however, demonstrated that these groups pursued other modes of influence to achieve this goal; they increased their grassroots work, partnered with other organizations through coalition work, and devoted additional resources to their work in the Senate. Thus, though their ability to represent the public may have been hindered in the House, the multiple points of entry in the American system of government allowed these groups to continue its work on their members' behalf in other branches and through alternative means of influence. Those Republican-leaning groups that had ready access to prominent leaders and decision-makers in the House naturally continued their work with these individuals after the House reforms.

While some of the lobbyists interviewed expressed dismay at their inability to accomplish their goals in the House, none claimed their group had an inability to fully represent their members or protect their interests. The lobbyists simply and pragmatically adjusted their strategies to increase their effectiveness elsewhere. Thus, the institutional reforms did not effectively alter the ability of the interest group community to represent its members before Congress; they simply altered the specific avenues some of these groups were able to successfully pursue.

My second question regarding the normative implications of my findings concerns the preferences of the interest group community itself. How would these groups have designed the reforms, if they could have? What would their ideal legislature look like? A prominent theme throughout my analysis has been the importance of long-term relationships between lobbyists and members of Congress or their staffs. I have reiterated the constant conversation between interest group

representatives and the staffs of both individual legislators and committees in Congress. A vast majority of lobbyists spoke in detail of their regular contact with these congressional staffers. An overwhelming number of the respondents indicated that they worked more regularly with committee members and their staffs than with party leadership, regardless of the changing institutional context. In Chapter Six, I offered a number of reasons why interest groups continued their extensive work at the committee level despite its decreased autonomy; the most prominent among these reasons was the long-term relationships between groups and congressional staffers.

Given these strong ties between interest groups and prominent committee members and their staffs, I believe that, on the whole, the interest group community prefers a Congress with a strong committee system rather than strong responsible party government. As noted in the previous section, many lobbyists expressed dissatisfaction with the strong party discipline associated with the responsible party government model. Strong party discipline and incentives to toe the party line limit a legislator's ability to negotiate and strike deals with interest groups and their lobbyists. It is through this process of negotiation and education that lobbyists are able to influence legislation. A strong committee system is far more conducive to this type of law-making. As such, lobbyists, like the committee themselves, naturally prefer a House of Representatives in which the committee system has substantial autonomy from party leadership.

Conclusion

The preceding chapters have argued that the changing institutional context had important consequences for how the interest group community lobbied the House of Representatives in the mid-1990s. While group partisanship, group resources, and the

nature of an issue intervened to mitigate these effects, the internal workings of the chamber did, in fact, impact group activity.

The analysis presented here is based on interest groups with a particular concern for health policy and, therefore, specific committees in Congress. While the findings may be the same for interest groups with other substantive concerns, this is not addressed. Future research would be well-served to consider other policy areas and different segments of the interest group community. In particular, it would be worthwhile to investigate policy areas in which the committees are not dominated by strong personalities. Chapter Six described the powerful individuals who served on health-related committees. Groups continued to value their work at the committee level despite the reforms partially because party leadership deferred to these men on health issues. An examination of group activity on committees that lacked strong, knowledgeable personalities may offer a different result: groups might have increasingly valued their work with party leadership across the board.

Also, as noted previously, corporate lobbyists and private lobbying firms might respond to the House reforms differently. A broader understanding of institutional change and special interests must include this sort of lobbying operation. Campaign finance behavior in particular may exhibit stark differences. Private lobbying firms and in-house corporate lobbyists, on average, have far greater personal and organizational financial resources than many of the groups included in this study. One lobbyist I interviewed suggested that private firm and corporate lobbyists have more extensive and savvy knowledge of House rules and procedure than the men and women who typically work for independent groups and trade associations. This variation too might alter the results.

The 2006 midterm elections returned the Democrats to majority control in the House. While the new majority leadership did not introduce sweeping institutional

changes like those implemented in the 104th Congress, a changeover in party control has inevitable consequences for the legislative process. Shortly after the Democrats took over the House, for example, new Speaker Nancy Pelosi (D-CA) appointed a select committee on global warming to remove the issue out from the oversight of powerful Energy & Commerce committee chairman John Dingell (D-MI). Dingell immediately organized his fellow committee chairmen in an effort to prevent this type of infringement against committee jurisdictions (Von Drehle 2007). This example illustrates the turf wars that exist any time a new party has control of the chamber. Naturally, we would expect groups with a stake in these issues to adjust their behavior accordingly. Only time will tell how the interest group community will react to the specific jurisdictional fights and other institutional arrangements brought on by the new Democratic majority.

The main contribution of this research is the explicit attention it pays to institutional context. The findings indicate that interest groups are, as expected, highly attuned to where power lies within the House of Representatives; they target their work in the most effective ways in light of how this power – both partisan and institutional – is distributed across members of Congress. The results also serve as a reminder of the degree to which the interest group community values access to legislators and the legislative process. Since access is a precursor to group success, organizations have a pragmatic approach to strategy, seeking to gain entry through the many available Modes of Influence. Groups therefore also have a pragmatic approach to adjust these strategies as the institutional context undergoes change.

Because interest groups are such influential and important players in the political system, it is certainly a worthy research agenda to understand how various institutional arrangements can impact their work on and off Capitol Hill. At the very least, the analysis presented here suggests that there are no easy answers to the

questions about who groups target and when they will be influential; strategic decisions and outcomes largely depend on the circumstances surrounding an issue. Scholars who hope to create a single blueprint for group behavior – a blue print that outlines who they will contact, when, and the expected result – will likely never find an answer simply because there is no blueprint for group activity. My analysis demonstrates that House institutions can have an effect on group behavior, but institutions will not dictate what groups do entirely. Nor will partisanship or resource level. These elements are just one piece of a puzzle that determines which strategies interest groups use under certain circumstances. The research here demonstrates that institutional context is an important, unavoidable piece of that puzzle.

APPENDIX I
GROUPS INCLUDED IN THE STUDY

AFL-CIO
American Association of Retired Persons
American Dental Association
American Health Care Association
American Hospital Association
American Medical Association
American Nurses Association
Association of Private Pension and Welfare Plans
Blue Cross and Blue Shield Association
Catholic Hospital Association
The ERISA Industry Committee
Families U.S.A.
Federation of American Health Systems
Health Insurance Association of America
Independent Insurance Agents of America
National Assembly of National Voluntary Health & Social Welfare Organizations
National Association for Home Care
National Association of Community Health Centers
National Association of Health Underwriters
National Association of Manufacturers
National Association of Professional Insurance Agents
National Association of Public Hospitals and Health Systems
National Conference of State Legislatures
National Coordinating Committee for Multi-employer Plans
National Council on Aging
National Federation of Independent Business
National Governors' Association
National Health Council
National League of Cities
National Partnership for Women and Families
National Small Business Association
Physicians Insurers Association of America
Small Business Council of America
U.S. Chamber of Commerce

APPENDIX II INTERVIEW QUESTIONNAIRE

Instructions:

For the questions about specific issues considered by the House of Representatives during the 1990s, it is important that your answers apply *specifically* to the issues identified.

This project focuses on what your organization *did*, not its policy position. Please try to limit your answers to this sort of information.

This project is most concerned about how organizations like yours *perceived* the House of Representatives when it set out to lobby its members. Please try to forget any retrospective evaluations about the success of these strategies.

Thank you very much for participating in this study.

Interview Subject Characteristics

During what years did you work for this organization?

What was your position(s) during your time there? How would you describe your job responsibilities?

How would you rank your personal involvement in deciding legislative strategy for this organization?

I was...

- 1- *not* involved in planning legislative strategy.
- 2- *sometimes* involved in planning legislative strategy.
- 3- *often* involved in planning legislative strategy.
- 4- *extensively* involved in planning legislative strategy.

Organizational Management Strategies and Characteristics

On a scale on 1 to 5, how often did your organization use the following tactics:

- Disseminating information to specific legislators via formal meetings with legislators and their staff?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often
- Actively writing bills and legislation to be considered in the House of Representatives?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often

- Initiating informal contact with legislators and/or their staff?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often
- Meeting with journalists or other members of the press to gain coverage for key issues?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often
- Donating money and/or time to support a legislator's electoral campaign?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often
- Contacting constituents in an effort to generate grassroots support?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often

Using the same scale of 1 to 5, during your time at this organization, how often did the group work with legislators...

- Who *agreed* with the group's policy position on an issue?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often
- Who *disagreed* with the group's policy position on an issue?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often
- Who were *undecided* on an issue?
1-Never 2-Rarely 3-Sometimes 4-Often 5-Very often

During your time there, was your organization closely aligned with one of the two parties or is it largely nonpartisan? If it had ties to one party, which one?

What effects, if any, did these partisan ties have on the group's legislative lobbying behavior?

Proposals to Overhaul the U.S. Health Care System in the 103rd Congress

Bill Summary & Review

H.R. 1200: American Health Security Act of 1993

- Sponsored by James McDermott, (D-WA), this bill was one of two prominent single-payer plans presented in the House during the Clinton administration health care initiative. The bill would provide health benefits to all Americans, financed by payroll taxes, which would be distributed to the states to pay doctors, hospitals, and other health care providers directly. The bill would also set an annual cap on health spending.
- Upon its introduction in March of 1993, the bill was referred to five separate House committees: Armed Services, Energy & Commerce, Post Office & Civil Service, Veterans' Affairs, and lastly Ways & Means. Cosponsors were added over the course of the first legislative session. In early February of the second session, the House Ways & Means Subcommittee on Health and the Environment held hearings on the bill.

H.R. 3222: Managed Competition Act of 1993

- Sponsored by James Cooper (D-TN), this bill proposed a “managed competition” plan under which health care providers would form networks and compete for consumers. The bill did not mandate that employers pay for employee health insurance, nor did it require individuals to purchase insurance.
- The bill was introduced on October 6, 1993. It was referred to four House committees (Energy & Commerce, Ways & Means, Education & Labor, and the Judiciary) and was the subject of subcommittee hearings in February of 1994. Full committee hearings in The House Committee on Education & Labor took place in February and March of 1994.

H.R. 3600: Health Security Act

- This proposal, supported by the Clinton administration, would require all individuals to obtain health insurance by purchasing it from large cooperatives called health alliances. Premiums would be paid by contributions from employers and individuals, supplemented by federal subsidies for certain classes of patients. The bill would create a national health care budget for expenditures covered under the comprehensive package. Initial premiums and annual rate increases would be limited, and premiums could not grow faster than the rate of growth in per capita GDP.
- After being introduced in November of 1993, the bill was referred to 10 different House committees, including the Ways & Means, Energy & Commerce, and Education & Labor committees, and was subject to a very large number of subcommittee and full committee hearings and markups throughout both legislative sessions. Various amended versions of the bill were reported to the House from July to August 1994, but no further action was taken.

H.R. 3960: American Health Security Act of 1994

- This bill, sponsored by George Miller (D-CA), was the other prominent single-payer plan presented in the House and was nearly identical to McDermott’s plan. This version, however, included sections dealing with school health services and ERISA, in order to bring it under the jurisdiction of the Committee on Education & Labor.
- The bill was introduced in March of 1994 and was referred to a series of House committees (Energy & Commerce, Ways & Means, Armed Services, Education & Labor, the Post Office & Civil Service, and Natural Resources). It was the subject of markups in the House Subcommittee on Labor-Management Relations through May and June of 1994. The bill was reported to the House on July 22, 1994 by the Education & Labor committee.

How accurately can you recall your organization's work on this issue during the 103rd Congress?

- 1- I *cannot* recall our work on these bills.
- 2- I recall our work on these bills *somewhat*.
- 3- I recall our work on these bills *well*.
- 4- I recall our work on these bills *extremely well*.

How important was this issue to your organization?

This issue was...

- 1- *not* important to our organization.
- 2- *somewhat* important to our organization.
- 3- *rather* important to our organization.
- 4- *extremely* important to our organization.

Which of these legislators – or any others you might remember – were viewed as most important to your office's success on this issue? Why?

Thomas S. Foley (D-WA), Speaker of the House

Richard A. Gephardt (D-MO), House Majority Leader

Robert H. Michel (R-IL), House Minority Leader

David E. Bonior (D-MI), House Majority Whip

Newt Gingrich (R-GA), House Minority Whip

Steny H. Hoyer (D-MD), Democratic Caucus Chairman

Richard K. Armey (R-TX), Republican Conference Chairman

John Joseph Moakley (D-MA), Rules Committee Chairman

Sam Gibbons (D-FL), Ways & Means Committee Chairman

Fortney Pete Stark (D-CA), Ways & Means Subcommittee on Health Chairman

William D. Ford (D-MI), Education & Labor Committee Chairman

Pat Williams (D-MT), Education & Labor Subcommittee on Labor-Management Relations Chairman

John D. Dingell (D-MI), Energy & Commerce Committee Chairman

Henry A. Waxman (D-CA), Energy & Commerce Subcommittee on Health & the Environment Chairman

Which of these traits mattered most to your office's decision to contact a legislator on this issue?

- Holding a seat on a key House committee
- Serving as chairman on a key House committee
- Serving as ranking member on a key House committee
- Holding a seat on a key House *subcommittee*
- Serving as chairman on a key House *subcommittee*
- Serving as ranking member on a key House *subcommittee*
- Having a high level of seniority on a key House committee
- Having expertise and experience on health policy and issues of health insurance

- Having substantial influence over other legislators within the chamber
- Serving on the *majority* party's leadership team
- Serving on the *minority* party's leadership team
- Having a long-standing relationship with your organization
- Having a constituency with strong connections to your organization

When your organization planned its legislative strategy for this issue, did it place more emphasis on the relevant *subcommittees* of the House or the *full* committees?

How often did your organization meet with the staff of the most important committees during its work on this legislation?

How often did your office meet with majority and minority party leadership during its work on this issue?

Which of the following strategies were most essential to your organization's work on this issue?

- Meeting with members of key House committees and their staff
- Meeting with members of key House *subcommittees* and their staff
- Meeting with the staffs of key House committees
- Meeting with *majority* party leadership
- Meeting with *minority* party leadership
- Testifying before congressional committees
- Making contributions to key committee/subcommittee members' reelection campaigns
- Making contributions to *majority* party leaderships' reelection campaigns
- Making contributions to *minority* party leaderships' reelection campaigns
- Campaigning on behalf of electoral candidates with policy positions favorable to your organization
- Generating grassroots support and/or contacting legislators' constituents directly
- Advertising in the mass media
- Meeting with officials in other branches of the federal government
- Working with state-level government officials and agencies

- Continued -

Legislation Resulting in HIPAA

Bill Summary & Review

H.R. 995: ERISA Targeted Health Insurance Reform Act of 1995

- Sponsored by Harris Fawell, (R-IL), this bill provided for limited portability of health insurance between jobs. Small business would be allowed to form group purchasing cooperatives with other small businesses, giving them more leverage when negotiating premiums and benefits with insurance companies. The plan would also limit the ability of the states to regulate health benefits by extending the ERISA preemptions to these group purchasing cooperatives.
- The bill was introduced in February of 1995 and referred to both the Committee on Commerce and the Committee on Economic & Educational Opportunities. The House Subcommittee on Employer-Employee Relations held hearings on the bill in March 1995 and the bill was ordered reported on March 6, 1996. It was officially reported to the House floor later that month by the Economic & Educational Opportunities Committee. The bill was later combined into amended version of H.R. 3103, which eventually became The Health Insurance Portability and Accountability Act.

H.R. 3070: Health Coverage Availability and Affordability Act of 1996

- This proposal, introduced by Michael Bilirakis (R-FL), included a number of restrictions on insurers regarding pre-existing conditions, and would provide portability of health insurance when an individual with group coverage switches jobs. The bill would also help workers seeking individual coverage if they leave a job with a group health plan.
- After its introduction in March 1996, the bill was referred to four House committees: Commerce, Economic & Educational Opportunities, the Judiciary, and Ways & Means. Following brief subcommittee and full committee action, it was reported to the House floor by the Commerce Committee on March 25, 1996. Provisions of the bill were combined with H.R. 3103 and H.R. 995 and introduced as H.R. 3160, which became an amendment in the stature of a substitute to H.R. 3103.

H.R. 3103: Health Coverage Availability and Affordability Act of 1996

- Sponsored by Bill Archer (R-TX), this bill included a number of components, the highlight of which was portability provisions to help individuals who lose or change their job to maintain health insurance coverage. It also included tax breaks to promote long-term care insurance, an increase in the deduction for self-employed workers, and a pilot medical savings account program.
- The bill was introduced March 18, 1996 and referred to the Commerce, Ways & Means, Economic & Educational Opportunities, and Judiciary committees. On March 19, the bill was ordered reported with amendments by the Ways & Means committee and was officially reported in the House on March 25. Amended by the text of H.R. 3160 (also sponsored by Archer), the bill passed

in the House on March 28, 1996. The conference report was approved by the House and Senate in early August. The legislation, officially named the Health Insurance Portability and Accountability Act, was signed into law by President Clinton in late August.

How accurately can you recall your organization's work on this issue during the 104th Congress?

- 1- I *cannot* recall our work on these bills.
- 2- I recall our work on these bills *somewhat*.
- 3- I recall our work on these bills *well*.
- 4- I recall our work on these bills *extremely well*.

How important was this issue to your organization?

This issue was...

- 1- *not* important to our organization.
- 2- *somewhat* important to our organization.
- 3- *rather* important to our organization.
- 4- *extremely* important to our organization.

Which of these legislators – or any others you might remember – were viewed as most important to your office's success on this issue? Why?

Newt Gingrich (R-GA), Speaker of the House

Richard K. Armey (R-TX), House Majority Leader

Richard A. Gephardt (D-MO), House Minority Leader

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William M. Thomas (R-CA), Ways & Means Subcommittee on Health Chairman

William F. Goodling (R-PA), Economic & Educational Opportunities Committee Chairman

Harris W. Fawell (R-IL), Econ. & Educ. Opportunities Subcommittee on Employer-Employee Relations Chairman

Thomas J. Bliley, Jr. (R-VA), Commerce Committee Chairman

Michael Bilirakis (R-FL), Commerce Subcommittee on Health & the Environment Chairman

Which of these traits mattered most to your office's decision to contact a legislator on this issue?

- Holding a seat on a key House committee
- Serving as chairman on a key House committee
- Serving as ranking member on a key House committee

- Holding a seat on a key House *subcommittee*
- Serving as chairman on a key House *subcommittee*
- Serving as ranking member on a key House *subcommittee*
- Having a high level of seniority on a key House committee
- Having expertise and experience on health policy and issues of health insurance
- Having substantial influence over other legislators within the chamber
- Serving on the *majority* party's leadership team
- Serving on the *minority* party's leadership team
- Having a long-standing relationship with your organization
- Having a constituency with strong connections to your organization

When your organization planned its legislative strategy for this issue, did it place more emphasis on the relevant *subcommittees* of the House or the *full* committees?

How often did your organization meet with the staff of the most important committees during its work on this legislation?

How often did your office meet with majority and minority party leadership during its work on this issue?

Which of the following strategies were most essential to your organization's work on this issue?

- Meeting with members of key House committees and their staff
- Meeting with members of key House *subcommittees* and their staff
- Meeting with the staffs of key House committees
- Meeting with *majority* party leadership
- Meeting with *minority* party leadership
- Testifying before congressional committees
- Making contributions to key committee/subcommittee members' reelection campaigns
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- Campaigning on behalf of electoral candidates with policy positions favorable to your organization
- Generating grassroots support and/or contacting legislators' constituents directly
- Advertising in the mass media
- Meeting with officials in other branches of the federal government
- Working with state-level government officials and agencies

Proposals to pass a Patients' Bill of Rights

Bill Summary & Review

H.R. 820: Health Insurance Bill of Rights Act of 1997

- This bill, sponsored in the House by John Dingell (D-MI), was intended to establish a series of consumer protections, including measures for dispute resolution and guaranteed access to specialists for individuals with chronic or life-threatening conditions. The plan would also stipulate the circumstances under which coverage for emergency care could not be denied or prior authorization for such care could not be required. Health plans would also be required to establish quality control standards.
- The bill was introduced in late February of 1997. After being referred to the Commerce Committee, the Subcommittee on Health and the Environment held hearings on the bill on October 28, 1997 before it was overshadowed by similar bills.

H.R. 1415: Patient Access to Responsible Care Act of 1997

- Sponsored by Charles Norwood (R-GA), this legislation would similarly establish standards for consumer protection and impose requirements applicable to emergency care. The bill would also allow patients to appeal when services were denied and prevent health plans from intervening in communication between doctors and patients. Finally, the proposal would allow patients to sue their health plans under state malpractice laws.
- After being introduced in April of 1997, the bill was referred to two House committees (Commerce and the Education & Workforce Committee), where it was the subject of subcommittee hearings in late October of 1997.

H.R. 4250: Patient Protection Act of 1998

- Like the other bills, this one, sponsored by Newt Gingrich (R-GA), included provisions for broader access to emergency room care. While the bill would expand patients' rights to appeal coverage decisions and denials of care, it would not allow those patients enrolled in managed care plans exempt from state regulation to sue these plans under state laws. The bill also includes provisions to cap non-economic damages in medical malpractice suits at a certain level, and would establish purchasing cooperatives for smaller business to obtain coverage at more affordable rates.
- This bill was the product of a House leadership task force led by Dennis Hastert and was referred to five House committees upon introduction: Commerce, Government Reform & Oversight, Education & the Workforce, Ways & Means, and the Judiciary. On July 23, 1998, the House Rules committee granted a modified closed rule allowing the bill to be considered on the floor. On July 24, 1998, the bill passed in the House and was placed on the Senate calendar a few days later.

How accurately can you recall your organization's work on this issue during the 105th Congress?

- 1- I *cannot* recall our work on these bills.
- 2- I recall our work on these bills *somewhat*.
- 3- I recall our work on these bills *well*.
- 4- I recall our work on these bills *extremely well*.

How important was this issue to your organization?

This issue was...

- 1- *not* important to our organization.
- 2- *somewhat* important to our organization.
- 3- *rather* important to our organization.
- 4- *extremely* important to our organization.

Which of these legislators – or any others you might remember – were viewed as most important to your office's success on this issue? Why?

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- Working with state-level government officials and agencies

Coordination with the Group's Political Action Committee

Does your organization have a PAC?

How involved were the legislative affairs representatives at your organization with the group's campaign contributions and political action committee?

How closely did the organization monitor the federal electoral landscape, relative to the work that was devoted towards legislative issues?

Procedural Aspects of the House of Representatives

In your time there, how closely did your organization and its lobbyists follow the *procedural* aspects of the legislative process, including the work of the Rules Committee?

In January of 1995, the new Republican majority made a number of changes to the ways in which the House conducted its legislative business. How did these changes influence your office's approach to lobbying Congress, in both the short-term and long-term? (A list of the changes has been provided below to help refresh your memory).

- The Speaker of the House of Representatives was limited to a term of eight years.
- The Speaker of the House of Representatives was granted more authority in the appointment of committee chairmen.
- Committee and subcommittee chairmen were limited to six year terms.
- Majority party leadership increased its control over the committee assignment process within the party.
- Joint referral of bills to committees was abolished.
- Many of the administrative offices of the House of Representatives were reorganized and placed under the authority of the Speaker's office.
- A portion of the work of the Energy & Commerce Committee's jurisdiction was transferred to other committees.
- Members of the House of Representatives were limited to two full committee assignments and four subcommittee assignments.
- Members of the House of Representatives were allowed to chair only one committee or subcommittee.
- Committee chairs were granted the authority to appoint subcommittee chairmen.
- Three standing committees were abolished.
- Proxy voting in committees was abolished.
- Most committees were limited to a maximum of five subcommittees.
- Many committees were renamed to reflect the priorities of the new Republican majority.
- Separate subcommittee staffs were abolished and subcommittee funding was consolidated under the full committee.

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